

Revision

South-Western City School District Bylaws & Policies

5430.01 - GRADUATION RECOGNITIONS

The Board values excellence and wishes to instill in students the desire to do their best in their educational program. Therefore, it is the policy of the Board to recognize outstanding academic accomplishments.

Recognition

The Board recognizes the following achievements as the minimum acknowledgements at South-Western City Schools' high school graduation ceremonies at the end of each school year:

Valedictorian	- recognized at the graduation ceremony
Salutatorian	- recognized at the graduation ceremony
Top 25 (CCHS , GCHS, WHS)	- noted in graduation program and determined on the basis of academic average including cumulative grades through the third grading period 5th - six weeks of the senior year. The weighted grade system will be used.
Top 15 (FHHS)	
National Honor Society	- noted in graduation program
National Technical Vocational Honor Society	- noted in graduation program
Perfect Attendance – four years	- recognized at the graduation ceremony through the end of the final grading period
All A's – four years	- recognized at the graduation ceremony – as indicated on transcript/final grade
Diploma with Honors	- noted in the graduation program

Revision

Selection

All grades, including final examinations, will be included in determining the student with the highest academic average (valedictorian) and the second highest average (salutatorian). **The weighted grade system will be used.**

Speakers

The number of speakers and the criteria for the selection of speakers shall be determined by each high school.

Adopted 2/14/00



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - DEFINITIONS
Code	po0100
Status	Policy Committee
Legal	R.C. 3109.52, 3109.65 R.C. 3313.18, 3313.20, 3313.64, 3313.753
Adopted	February 14, 2005
Last Revised	March 13, 2017

Revised Bylaw - Vol. 43, No. 1

0100 - DEFINITIONS

Whenever the following items are used in these bylaws, policies, and administrative guidelines, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Agreement

A collectively negotiated contract with a recognized bargaining unit.

Apps and Services

Apps and services ("apps/services") are software (i.e., computer programs and applications) that support the interaction of personal communication devices (as defined in Bylaw 0100, below~~above~~) or technology resources (as defined by Bylaw 0100, below) or information resources (as defined by Bylaw 0100, below) over a network, or client-server applications in which the user interface runs in a web browser. Apps and services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and services also are used to facilitate communication to, from, and among and between staff, students, and parents, Board members and/or other stakeholders, and members of the community.

Board

The Board of Education.

Bylaw

Rule of the Board for its own governance.

Classified Employee

An employee who provides support to the District's program and whose position does not require a professional license.

Compulsory School Age

A child between six (6) and eighteen (18) years of age or a child under six (6) years of age who has been enrolled in kindergarten unless at any time the child's parent or guardian, at the parent's or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten.

District

The School District.

Due Process

The safeguards to which a person is entitled in order to protect their rights.

Educational Service Center Superintendent

The Superintendent of Schools for the ESCCO (Educational Service Center of Central Ohio)

Full Board

Authorized number of voting members entitled to govern the District.

Information Resources

The Board defines Information Resources to include any data/information in electronic, audio-visual, or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes, but is not limited to, electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, websites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting, or retrieving electronic communications.

May

This word is used when an action by the Board or its designee is permitted but not required.

Meeting

Any prearranged discussion of the Board's public business by a majority of Board members.

Parent

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise. When a student is the subject of a power of attorney or caretaker authorization affidavit executed by the student's grandparent(s), the term parents shall also refer to the grandparent designated as the attorney-in-fact under the power of attorney or the grandparent who executed the affidavit.

Although the grandparent is authorized to provide consent in all school-related matters and to obtain from the school district educational and behavioral information about the student, the power of attorney does not preclude the parent, guardian or custodian of the child from having access to all school records pertinent to the child.

Likewise, although the grandparent is authorized to provide consent in all school-related matters and to discuss with the school district the student's educational progress, the caretaker authorization affidavit does not preclude the parent, guardian or custodian of the child from having access to all school records pertinent to the child.

R.C. 3313.64, 3109.52, 3109.65

Personal Communication Devices

Personal communication devices ("PCDs") are electronic communication devices powered by batteries or electricity that are capable of receiving, transmitting, or receiving and transmitting communication between individuals or groups that are not issued by the District for the purpose of instruction. Examples of PCDs include computers, laptops, tablets, e-readers, cellular telephones/cellular/mobile phones, smartphones, gaming devices, smartwatches and other wearable technology, and ~~(-) telephone paging devices (e.g., beepers or pagers), (-) and/or~~ other web-enabled devices used to communicate of any type. R.C. 3313.753

Policy

A general, written statement by the Board of Education which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The ~~President~~ chief executive officer of the Board of Education. (See Bylaw ~~0152 - Officers~~0173 — Board Officers)

Principal

The educational leader and head administrator of one (1) or more District schools. In policy and administrative guidelines, implies delegation of designated responsibilities to appropriate members of the principal's staff.

Professional Staff Member

An employee who implements or supervises one (1) or more aspects of the District's program and whose position requires a professional credential from the ~~Ohio State Board of Education~~Division of Teacher Education and Licensing.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively-bargained agreement.

Secretary

~~The chief clerk of the Board of Education.~~

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

Social Media

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication including, but not limited to, text messaging, instant messaging, websites, web logs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Snapchat, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts. Apps and services shall not be considered social media unless they are listed on the District's website as District-approved social media platforms/sites.

Student

A person who is officially enrolled in a school or program of the District.

Superintendent

The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.

Technology Resources

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Textbook

This word is used to describe the learning material duly adopted and required as standard work for the study of a particular subject. It may be bound and printed with a hard or soft cover, or it may be electronic, e.g., computer software, interactive videodisc, magnetic media, CD ROM, computer courseware, online service, electronic medium, or other means of conveying information.

Treasurer

The chief fiscal officer of the District.

Vice-President

The Vice-President of the Board of Education. (See Bylaw **0152 - Officers**~~0173 — Board Officers~~)

Voting

A vote at a meeting of the Board of Education. The law requires that Board members must be physically present in order to have their vote officially recorded in the Board minutes. R.C. 3313.18, 3313.20

Citations to Ohio Statute are noted as R.C. (Revised Code). Citations to Rules of the State Board of Education are noted as A.C. (Administrative Code). Citations to the Federal Register are noted as FR, to the Code of Federal Regulations as C.F.R., and to the United States Code as U.S.C.

R.C. 3109.52, 3109.65

R.C. 3313.18, 3313.20, 3313.64, 3313.753

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - PHILOSOPHY OF THE BOARD
Code	po0118
Status	Policy Committee
Adopted	October 9, 1989

0118 - **PHILOSOPHY OF THE BOARD**

A Board of Education is a legal entity for providing a system of public education within a geographic area of the State of Ohio. The system was created by, and is governed by, State statutes. Members of a Board are, therefore, State officers chosen by citizens to represent them and the State in the legislative management of the local schools.

The Board of Education has the dual responsibility for implementing statutory requirements pertaining to public education and for meeting the desires of the citizens. While the Board has an obligation to determine and assess citizen desires, it is understood that when the citizens elect delegates to represent them in the conduct of specified educational programs, they, at the same time, endow their representatives with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board declares and, thereby, reaffirms its intent to:

- A. maintain two-way communications with citizens of the District. The Board shall keep them informed of the progress and problems of the School District, and the citizens shall be urged to bring their aspirations and concerns about the District to the attention of this body;
- B. establish policies and make decisions on the basis of declared educational philosophy and goals;
- C. act as a truly representative body for citizens in all matters related to programs and operations. The Board recognizes that ultimate responsibility for public education rests with the State, but the Board of Education has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority.

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~~0118 - **BOARD OPERATION GOALS**~~

~~The primary responsibility of the South Western City Board of Education is to establish policy that will provide the necessary educational programs for District students. The Board shall accomplish this while also being responsible for wise management of resources available to the District. The Board shall fulfill these responsibilities by: functioning primarily as a legislative body to formulate and adopt policy; and selecting an executive officer to implement policy and by evaluating the results. Further, it must carry out its functions openly, while seeking the involvement and contributions of public, students and staff in its decision making processes.~~

~~In accordance with these principles, the Board will seek to achieve the following goals:~~

- ~~A. to concentrate the Board's collective effort on its policy making and planning responsibilities;~~

- B. to formulate Board policies which best serve the educational interests of each student;
- C. to provide the Superintendent with sufficient and adequate guidelines for implementing Board policies;
- D. to maintain effective communication with the school community, the staff and the students in order to maintain awareness of attitudes, opinions, desires and ideas;
- E. to allow those responsible for carrying out objectives to have input in their formation;
- F. to conduct Board business openly, soliciting and encouraging broad based involvement in the decision making process by public, students and staff; and
- G. to periodically review its performance against the goals.



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Rescind - SCHOOL BOARD LEGISLATIVE PROGRAM
Code	po0131.4
Status	Policy Committee
Adopted	October 9, 1989

~~0131.4~~ **SCHOOL BOARD LEGISLATIVE PROGRAM**

~~The South Western City Board of Education recognizes the importance of sound and constructive State legislation in establishing the framework and support for public education. It is therefore directly concerned with legislative proposals affecting education.~~

~~The Board's legislative liaison member, appointed at the organizational meeting, will report to the Board on State legislative proposals and will communicate the Board's positions and/or the Ohio School Board's Association positions to State representatives and senators.~~

~~The legislative liaison member will also keep the Board informed of pertinent Federal legislative proposals and, when necessary, communicate the Board's position to representatives and senators at the national level.~~



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - ORGANIZATIONAL MEETING
Code	po0151
Status	Policy Committee
Legal	R.C. 3313.14
Cross References	po0142.1 - OATH po0152 - OFFICERS po0163 - PRESIDING OFFICER
Adopted	October 9, 1989

Revised Bylaw - Vol. 43, No. 1

0151 - ORGANIZATIONAL MEETING

The Board of Education shall organize annually at a meeting held during the first fifteen (15) days of January. No later than December 31st of the previous year, the Treasurer shall survey the members of the new Board and establish the date, time, and place of the organizational meeting on a date set by the Treasurer, no later than December 31st of the previous year. The Board shall appoint a President Pro Tem who shall serve as presiding officer until the election of the Board President and Vice President for the organizational meeting. The Board shall organize by electing one of its members the President and another the Vice-President. (See Bylaw 0152 - Officers) R.C. 3313.14

[Cross References:

po0142.1

po0152

po0163]

R.C. 3313.14

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	New - BOARD MEETINGS
Code	po0165
Status	Policy Committee
Cross References	po0166 - AGENDAS

New Bylaw - Vol. 43, No. 1

0165 - BOARD MEETINGS

Regular Meetings

Regular meetings of the Board of Education shall be public and held at least once every two (2) months. The time of such meetings shall be fixed at the organization meeting. R.C. 121.22, 3313.15

Special Meetings

Special meetings of the Board shall be public. R.C. 121.22

- A. Special meetings, which include emergency meetings, shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time and place of such meeting upon each Board member at least two (2) days in advance of the meeting. The notice shall be signed by the official or members calling the meeting. R.C. 3313.16
- B. The agenda for a special meeting is limited to the purpose(s) set forth in the public notice that is provided at least twenty-four (24) hours in advance of the meeting. At the special meeting, the Board may only discuss those issues set forth on the agenda, whether in open session or executive session.

Emergency Meetings

Emergency meetings are a subset of special meetings of the Board and may be called by the President, Treasurer, or by two (2) members of the Board. Notice of the time, place, and purpose(s) of an emergency meeting will be given immediately to Board members and to the news media that have requested notification. The agenda for an emergency meeting is confined to the announced purpose(s) of the meeting.

Agenda Preparation and Dissemination

The agenda for all meetings of the South-Western City Board of Education shall be prepared by the Superintendent in consultation with the Board President.

Items of business may be suggested by a Board member, staff member or citizen of the District. The agenda for the first regular meeting of each month will generally allow suitable time for the remarks of the public who wish to speak briefly before the Board.

The Board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item. The Board, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, will be distributed to Board members at least ~~forty-eight (48) hours~~ five days prior to the Board meeting to permit them to give items of business careful consideration. The agenda will also be made available to the press, representatives of community and staff groups, and to others upon request.

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Rescind - SCHOOL BOARD MEETINGS
Code	po0165.1
Status	Policy Committee
Adopted	October 9, 1989
Last Revised	March 11, 2019

~~0165.1~~ **REGULAR MEETINGS**

~~Regular meetings of the Board shall be public and held at least once every two (2) months. The time of such meeting shall be fixed at the organization meeting. R.C. 121.22, 3313.15.~~

- ~~A. It shall be the responsibility of the Superintendent, in cooperation with the Board President, to prepare an agenda of the items of business to come before the Board at each regular meeting.~~
- ~~B. The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent on information relating to the District with such recommendations as s/he shall make.~~
- ~~C. The agenda for each regular meeting shall be provided to each Board member in order to give them ample time to study the agenda. Generally, the agenda should be provided no later than five (5) days prior to the meeting, or provided to give the member ample time for the study of the agenda. The agenda for a special meeting shall be provided at least twenty four (24) hours before the meeting, consistent with provisions calling for special meetings.~~
- ~~D. The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any regular meeting by a majority vote of the members present.~~
- E. Consent Agenda**

~~The Board shall use a consent agenda to keep routine matters within a reasonable time frame.~~

~~The following routine business items may be included in a single resolution for consideration by the Board.~~

- ~~1. minutes of prior meetings~~
- ~~2. bills for payment~~
- ~~3. hiring of personnel~~
- ~~4. resolutions that require annual adoption, such as bank signatories, association membership(s), etc.~~
- ~~5. resignations and leaves~~

~~A member of the Board may request any item be removed from the consent resolution. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion.~~

F. Rescheduled Regular Meeting

The agenda for a rescheduled regular meeting shall be the agenda that had been established for that regular meeting and the agenda may be modified pursuant to "regular meeting" procedures detailed in Bylaw 0165.1 Regular Meetings.

CROSS REFS.:

0164, Regular Board Meetings

0164, Special Board Meetings

0166, Executive Sessions

0164, Notification of Board Meetings

Revised 12/8/08

Revised 7/8/13

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Rescind - SPECIAL MEETINGS
Code	po0165.2
Status	Policy Committee
Adopted	March 11, 2019

~~0165.2~~ **SPECIAL MEETINGS**

~~Special meetings of the Board shall be public. R.C. 121.22~~

- ~~A. Special meetings which include emergency meetings shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time and place of such meeting upon each Board member at least two (2) days in advance of the meeting. The notice shall be signed by the official or members calling the meeting. R.C. 3313.16~~
- ~~B. The agenda for a special meeting is limited to the purpose(s) set forth in the public notice that is provided at least twenty four (24) hours in advance of the meeting. At the special meeting, the Board may only discuss those issues set forth on the agenda, whether in open session or executive session.~~
- ~~C. Emergency meetings are a subset of special meetings of the Board and may be called by the President, Treasurer, or by two (2) members of the Board. Notice of the time, place, and purpose(s) of an emergency meeting will be given immediately to Board members and to the news media that have requested notification. The agenda for an emergency meeting is confined to the announced purpose(s) of the meeting.~~

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - PUBLIC PARTICIPATION AT BOARD MEETINGS
Code	po0169.1
Status	Policy Committee
Legal	R.C. 3313.20
Adopted	October 9, 1989
Last Revised	December 6, 2021

0169.1 - **PUBLIC PARTICIPATION AT BOARD MEETINGS**

All meetings of the South-Western City Board of Education will be open to the public.

Members of the public who wish to speak at a Board meeting must sign the speaker form before the meeting begins. Public participation will be held at the first regular meeting of each month or as approved by Board resolution.

Members of the public shall register their intention to address the Board prior to the start of the first regular monthly meeting to participate in the public portion of the meeting relative to agenda items.

Members of the public shall register their intention to address the Board with the Superintendent's Office no later than noon on Monday prior to the first regular monthly meeting to participate in the public portion of the meeting relative to non-agenda items.

Only three (3) people per topic shall be allowed to speak. Each person addressing the Board ~~will give his/her~~ **is required to state their name, and address, and school district of residence.** ~~and~~ **The participant** will be allotted five (5) minutes. The period of public participation and the number of people allowed to speak may be extended by a vote of the majority of the Board.

The presiding officer may:

- A. interrupt, warn, or terminate a participant's session when they make comments that are repetitive, obscene, and/or comments that constitute a true threat (i.e., statements meant to frighten or intimidate one (1) or more specified persons into believing that they will be seriously harmed by the speaker or someone acting at the speaker's behest);
- B. request any individual to leave the meeting when that person does not observe reasonable decorum;
- C. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- D. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
- E. waive these rules with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

The agenda will be distributed to all those who attend Board meetings. Guidelines outlining public participation at Board meetings are included in the "Welcome To Your Board of Education Meeting" publication.

Agenda Preparation and Dissemination

~~The agenda for all meetings of the South Western City Board of Education shall be prepared by the Superintendent in consultation with the Board President.~~

~~Items of business may be suggested by a Board member, staff member or citizen of the District. The agenda for the first regular meeting of each month will generally allow suitable time for the remarks of the public who wish to speak briefly before the Board.~~

~~The Board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item. The Board, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled.~~

~~The agenda, together with supporting materials, will be distributed to Board members at least forty eight (48) hours prior to the Board meeting to permit them to give items of business careful consideration. The agenda will also be made available to the press, representatives of community and staff groups, and to others upon request.~~

CROSS REF.:

0165.1, School Board Meetings
0165.4, Agenda Format
0165.4, Agenda Format

Revised 12/8/08
Revised 5/10/10
Revised 7/8/13

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Rescind - BOARD NEGOTIATING AGENTS
Code	po0181.1
Status	Policy Committee
Legal	R.C. 4117.20
Adopted	October 8, 1990

~~0181.1~~ **BOARD NEGOTIATING AGENTS**

~~Prior to commencement of any negotiations, the South Western City Board of Education will decide whether to appoint a professional negotiator or to appoint representatives from within the School District to serve as the Board's negotiating team(s). The Board shall appoint to the bargaining team those who will best serve the District's interest and who meet the qualifications mandated by law.~~

Board Negotiating Agents

Appointment of a Professional Negotiator

~~The duties of the negotiator will be as follows:~~

- ~~A. To negotiate in good faith with the recognized bargaining units to attempt to arrive at a mutually satisfactory agreement on issues which are properly within the scope of bargaining:~~
 - ~~1. with the Board's bargaining team direct accumulation of necessary data and information which may be needed for negotiations;~~
 - ~~2. follow guidelines set forth by the Board as to acceptable agreements and will report on the progress of negotiations; and~~
 - ~~3. make recommendations to the South Western City Board of Education as to acceptable agreements.~~
- ~~B. The negotiator will interpret the signed negotiated contracts to Board members and administrators.~~
- ~~C. The negotiator may also be requested to plan, organize, direct and represent the District in fact finding, arbitration and any other hearings involving negotiated contracts or grievances.~~



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Rescind - SUPERINTENDENT'S ROLE IN NEGOTIATIONS
Code	po0181.2
Status	Policy Committee
Legal	R.C. 4117.20
Adopted	October 8, 1990

~~0181.2~~ **SUPERINTENDENT'S ROLE IN NEGOTIATIONS**

~~To the extent determined by the South Western City Board of Education and permissible by law the Superintendent should be closely involved in planning, preparation and participation in the bargaining process.~~

~~The direct nature of involvement by the Superintendent at the bargaining table shall be determined by the Board in close communication with the Superintendent.~~



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Rescind - COMMITMENT TO ACCOMPLISHMENT
Code	po1110.02
Status	Policy Committee
Adopted	December 8, 2003

~~1110.02~~ **COMMITMENT TO ACCOMPLISHMENT**

~~Evaluation of District operations is a chief responsibility of the South Western City Board of Education and is the only means of learning whether the educational goals adopted are being achieved.~~



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Rescind - ADMINISTRATION GOALS
Code	po1110.03
Status	Policy Committee
Adopted	October 9, 1989

~~1110.03~~ **ADMINISTRATION GOALS**

~~Proper administration of the schools is essential to a successful educational program. The general purpose of the District's administration will be to coordinate and supervise the creation and operation of an environment in which students learn most effectively. Administrative duties and functions should be appraised in terms of the contribution made to improving instruction and learning. The South Western City Board of Education will rely on the Superintendent to provide the professional leadership demanded by such a far reaching goal.~~

~~The District's administrative organization shall be designed so that all divisions and departments of the central office and all schools are part of a single system guided by Board policies which are implemented through the Superintendent.~~

~~The Superintendent and the administrative staff will have the authority and responsibility necessary for their specific administrative assignments. Each administrator will also be accountable for the effectiveness with which the administrative assignments are carried out. The Board will be responsible for clearly specifying its requirements and expectations of the Superintendent, then holding the Superintendent accountable by evaluating how well those requirements and expectations have been met. In turn, the Superintendent will be responsible for clearly specifying the Board's requirements and expectations for all other administrators, then for holding each accountable by evaluating how well requirements and expectations have been met.~~

~~Major goals of administration in the District will be:~~

- ~~A. to manage the District's various departments, units, programs and resources effectively and efficiently;~~
- ~~B. to provide professional advice and counsel to the Board of Education and to advisory groups established by Board actions, generally through reviewing alternatives, analyzing the advantages and disadvantages of each and recommending a selection from among the alternatives;~~
- ~~C. to implement the management function so as to assure the best and most effective learning programs, through achieving such other goals as:

 - ~~1. providing leadership in keeping abreast of current education developments;~~
 - ~~2. arranging for the staff development necessary to the establishment and operation of learning programs that better meet student needs;~~
 - ~~3. coordinating cooperative efforts for the improvement of learning programs, facilities, equipment and material; and providing access to the decision-making process for the ideas of staff, students, parents and others.~~~~
- ~~D. to develop an effective program of evaluation that includes every position, program and facility in the District; and~~
- ~~E. to develop and use a team management approach.~~

~~CONTRACT REF.:~~

~~Management Team Agreement~~

~~CROSS REFS.:~~

~~1-0600, Commitment to Accomplishment~~

~~3-0400, Management Team~~

~~7-0312, Professional Staff Development Opportunities~~

~~7-0412, Classified Staff Development Opportunities~~



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - CONFLICT OF INTEREST
Code	po1130
Status	Policy Committee
Legal	R.C. Chapter 102, 2921.42, 2921.43 Ohio Ethics Commission Advisory Opinions No. 92-014 and 2001-03 2 C.F.R. 200.112, 200.113, 200.318
Adopted	April 11, 2016
Last Revised	March 13, 2017

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

1130 - CONFLICT OF INTEREST

A. The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by **the** Board of Education's members, and the District's employees, officers, and agents. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence in the School District. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all District employees, officers, and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees, officers, **agents, and Board members** ~~and agents~~.

1. No employee, officer, **agent or Board member** ~~or agent~~ shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities in the school system.
2. Employees, officers **agents, and Board members** ~~and agents~~ shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the ~~School~~ District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, officer's **agent's, or Board member's** ~~or agent's~~ employment or professional relationship with the District through **the employee's, officer's, agent's, or Board member's** access to ~~School~~ District records
- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration

for such referrals

- d. the requirement of students or clients to purchase any private goods or services provided by an employee, **officer, agent, or Board member** ~~officer or agent~~ or any business or professional practitioner with whom any employee, **officer, agent, or Board member** ~~officer or agent~~ has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
3. Employees, **officers, agents, or Board members** ~~officers and agents~~ shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Exceptions to Part A of this policy shall be approved by the Superintendent **before** entering into any private relationship.
- C. **No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.** ~~Employees, officers and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~
- An employee, officer, agent, and Board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors.** ~~Employees, officers and agents can not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.~~
- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~ District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~ District is unable, or appears to be unable, to be impartial **in conducting a procurement action involving a related organization.**
- E. Employees, **officers, agents, and Board members** ~~officers and agents~~ must **promptly** disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~ District. Upon discovery of any potential conflict of interest, the ~~School~~ District will **promptly** disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~ agency or, if applicable, the pass-through entity.
- The District will also **promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729–3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200** ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.~~
- F. Employees, **officers, agents, and Board members** ~~officers and agents~~ found to be in violation of this conflict of interest policy will be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy **and may also face criminal charges and/or risk loss of State-issued licenses/permits.**



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	New - DRUG-FREE WORKPLACE
Code	po1422.01
Status	Policy Committee
Legal	41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988 20 U.S.C. 3224A

New Policy - Vol. 43, No. 2

1422.01 - DRUG-FREE WORKPLACE

The Board of Education believes that quality education is not possible in an environment affected by drugs. It will seek, therefore, to establish and maintain an educational setting which meets the requirements in the Drug-Free Workplace Act.

In compliance with the Act, the Board prohibits the manufacture, possession, use, distribution, or dispensing of any controlled substance, including alcohol, by any member of the District's administrative staff at any time while on District property or while involved in any District-related activity or event. Any administrator who violates this policy shall be subject to disciplinary action in accordance with District guidelines.

The Superintendent shall establish whatever programs and procedures are necessary to meet the Federal certification requirements.

41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988
20 U.S.C. 3224A

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Renumbered - TOBACCO USE PREVENTION
Code	po1615
Status	Policy Committee
Legal	A.C. 3701-52 R.C. 3313.20, 3313.47, 3313.751, 3794 et seq. 20 U.S.C. 6081 et seq., 20 U.S.C. 7182

Revised Policy - Vol. 41, No. 2

1615 - ~~USE OF TOBACCO BY ADMINISTRATOR~~ TOBACCO USE PREVENTION

The Board of Education is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of administrators and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

The Board prohibits the use of tobacco or tobacco substitute products by administrators and employees at all times within any enclosed facility owned, leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to

- (X) school grounds,
- (X) athletic facilities, and
- (X) any school-related event,
- (X) and in designated areas as defined in statute and by Ohio's Smoke-Free Workplace Program.

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

X] Advertising/Promotion

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

X] Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles, are not permitted on school grounds, in school vehicles, or at school-sponsored events.

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board.

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~~1215—USE OF TOBACCO BY ADMINISTRATIVE STAFF~~

~~The Board of Education is committed to providing students, staff, and visitors with a tobacco and smoke free environment. The negative health effects of tobacco use for both users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing a non smoking and a tobacco free environment is consistent with the responsibilities of administrators, teachers and staff to be our positive role models for students.~~

~~For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes and any other lighted smoking devices for burning tobacco or any other substances.~~

~~In order to protect students and staff who choose not to smoke or use tobacco from an environment noxious to them, and because the Board does not condone smoking or the use of tobacco, the Board prohibits the use of tobacco or tobacco substitute products by administrative staff members at all times within any enclosed facility owned or leased or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board owned and/or operated vehicles used to transport students and to all other Board owned and/or operated vehicles. Such prohibition also applies to school grounds, except in designated areas as defined in statute and by Ohio's Smoke Free Workplace Program.~~

~~CROSS REFS.:~~

~~3215, Use of Tobacco by Professional Staff~~

~~4215, Use of Tobacco by Classified Staff~~

~~7434, Use of Tobacco on School Premises~~



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po1623
Status	Policy Committee
Legal	29 C.F.R. Part 1630 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended 34 C.F.R. Part 104 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
Adopted	March 12, 2012
Last Revised	May 7, 2018

1623 - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of Education prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other

implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

District Compliance Officer

The Board designates ~~the following individual~~ **an administrator** to serve as District Section 504 Compliance Officer/ADA Coordinator ("Compliance Officer"):

Amber Hufford
Coordinator of Student Services
614-801-3000
3805 Marlane Drive
Grove City, OH 43123
Amber.hufford@swcsd.us

The name, title, and contact information of this individual will be published annually on the School District's Web site **at <https://www.swcsd.us/Section504.aspx>**.

The Compliance Officer is responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Compliance Officer.

The Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

Training

The Compliance Officer will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the District's Compliance Officer will be posted throughout the District, and published in the District's recruitment statements or general information publications.

Complaint Procedures

Any conduct prohibited by this Policy constitutes "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations. A single act of Prohibited Conduct may be sufficiently severe, pervasive or persistent to create an intimidating, hostile, or offensive working and/or learning environment. If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the complaint procedures set forth in Policy 1662.01 Compliance Officer Investigations as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Complaints of Prohibited Conduct and investigations thereof will be conducted under the requirements of Policy 1662.01 Compliance Officer Investigations. The Compliance Officer is available to assist individuals in filing a complaint.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Revised 7/14/14

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - ANTI-HARASSMENT
Code	po1662
Status	Policy Committee
Legal	R.C. 4112.02 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) 20 U.S.C. 1681 et seq. 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967 29 U.S.C. 794, Rehabilitation Act of 1973, as amended 29 C.F.R. Part 1635 29 U.S.C. 6101, The Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq. 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 1983 National School Boards Association Inquiry and Analysis – May 2008
Adopted	January 13, 2014
Last Revised	May 7, 2018

1662 - **ANTI-HARASSMENT**

General Policy Statement

All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment, including sexual harassment. This policy applies to unlawful conduct occurring during District operations, programs, and activities on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. Any conduct prohibited by this Policy constitutes "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations. A single act of Prohibited Conduct may be sufficiently severe, pervasive or persistent to create an intimidating, hostile, or offensive working and/or learning environment. The Board will

investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- J. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in Ohio Revised Code 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School District community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School District community or third parties who believe they have been unlawfully harassed by another member of the School District community or a third party are entitled to utilize the Board's complaint process that is set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Harassment, Intimidation, and Bullying, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the Anti-Harassment Compliance Officer who shall investigate the allegation in accordance with Policy 1662.01 - Compliance Officer Investigations. For purposes of this Policy, a single act may be sufficiently severe, persistent, or pervasive to create an intimidating, hostile, or offensive learning environment, even if it would not constitute a violation of Policy 5517.01. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates ~~the following individual~~ **an administrator** to serve as "Anti-Harassment Compliance Officer".

~~Amber Hufford~~
~~Director of Student Services~~
~~614-801-3000~~
~~3805 Marlane Drive~~
~~Grove City, OH 43123~~
~~amber.hufford@swcsd.us~~

The name, title, and contact information of this individual will be published annually on the School District's web site **at <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>**.

Investigation and Complaint Procedure

Complaints of Prohibited Conduct and investigations thereof will be conducted under the requirements of Policy 1662.01 - Compliance Officer Investigations.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent/Designee shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

T.C. 1/22/16

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - STATEMENT OF PHILOSOPHY
Code	po2110
Status	Policy Committee
Legal	A.C. 3301-35-01, 3301-35-02 (A)
Adopted	October 9, 1989

2110 - **STATEMENT OF PHILOSOPHY**

The Board of Education believes that the purpose of education is to facilitate the development of the potential of each student. In a free society, every individual has both the right and responsibility to make choices and decisions for himself/herself and for society. A prerequisite for every member of such a society in meeting those responsibilities is competence in the use of the rational thought processes needed to make intelligent, ethical choices and decisions. If our society, as originally conceived, is to survive and function effectively, its young people need to be prepared to exercise their rights and their responsibilities in ways that benefit them and the society. Likewise, if individuals are to be able to achieve their life goals in a free society, they need to be competent to choose among the myriad alternatives that are and continue to be available to them.

The enculturation process in our society focuses on preparing the young to meet certain expectations and to avail themselves of opportunities to attain personal goals within that society. The school program, which should reflect the formal aspect of the enculturation process, needs, therefore, to focus on both the areas of societal expectations and personal opportunity available in our society.

With regard to societal expectations, people in this society are expected to:

- A. be self-sufficient -- that is, to meet their own needs, to the extent they are able, in their own way and without inhibiting others' opportunity to do the same;
- B. fulfill their responsibilities to contribute to the "common good" by actively participating in affairs affecting all members of society.

Today there is ample evidence that many students are not learning how to make effective, rational, responsible or ethical choices or decisions in regard to how they treat their minds and bodies, how they plan their futures, how they cope with frustration, or how they solve personal, social, and economic problems.

The Board and staff believe that the thought and action process involved in taking intelligent, ethical action can be learned just as any other set of procedures can be learned, provided students are given consistent, appropriate opportunities to:

- A. see the procedures modeled;
- B. learn what the procedures are;
- C. practice using the procedures and correct ineffective use of them;
- D. apply the procedures to a variety of relevant situations.

The District is committed to making adequate provision for such opportunities and to the applications of these processes to achieving the other educational goals associated with the District's mission.

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~~2110 — DEVELOPMENT OF PHILOSOPHY OF EDUCATION~~

~~The South Western City Board of Education philosophy of education shall give direction to the educational program and daily operations of the District. The philosophy will allow for that flexibility necessary in an ever-changing society. Furthermore, the philosophy will provide general criteria by which to assess the District's program and operations.~~

~~Periodically, a policy committee of the Board of Education and the Superintendent will evaluate the District's philosophy of education. Suggestions from both staff and community will be considered.~~

~~The committee will revise or confirm the existing philosophy or write a new philosophy. The committee will then present its recommendation regarding a District philosophy of education to the Board for adoption or re-adoption.~~

~~All building and course of study philosophies will reflect and extend the Board's philosophy. The Superintendent will disseminate the Board's philosophy of education to all staff members and have it published in all handbooks.~~

~~CROSS REFS.:~~

~~1-0401, Educational Philosophy~~

~~2-0603, Policy Adoption~~

~~3-0607, Policy Review and Evaluation~~



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - SCHOOL IMPROVEMENT
Code	po2120
Status	Policy Committee
Legal	Goals 2000 - Educate America Act The Ohio Improvement Process (OIP)
Adopted	July 11, 2011

2120 - **SCHOOL IMPROVEMENT**

The Board of Education supports the concept of school improvement as established by the State Board of Education and will seek to create and/or maintain effective schools as defined by State guidelines. (X) The Ohio Improvement Process (OIP) is the Ohio Department of Education and Workforce's (ODEW's) strategy for building the capacity of all districts and schools to improve instructional practice and make and sustain significant improvement in student performance against grade-level benchmarks aligned with academic content standards for all students.

In addition to adopting a Mission Statement and Educational Philosophy for the District, the Board shall create, as needed, policies which support the School Improvement Process.

District and school-level/building leadership teams are responsible for quality planning, implementation, and ongoing monitoring and reporting for all components for improving instructional practice and student performance.

The Superintendent shall provide leadership to District staff in the improvement process in the following core areas:

- A. data and the decision-making process
- B. focused goal setting process
- C. instruction and the learning process
- D. community engagement process
- E. resource management process
- F. Board development and governance process

The Improvement Process shall consist of the following stages:

- A. use data to identify areas of greatest need
- B. develop a plan to address those areas of need that is built around a limited number of focused goals and strategies to significantly improve instructional practice and student performance
- C. implement the plan with integrity, and

- D. monitor and evaluate the effectiveness of the improvement process in changing instructional practice and impacting student performance

The District shall utilize guidance, technical assistance, and resources provided by ODEW as may be appropriate and available.

In order to enhance school improvement, the Superintendent is authorized to waive any policy that has been enacted in order to comply with the following Federal statutes/regulations and to request waivers from these laws/regulations from the Superintendent of Public Instruction:

Titles I, II, IV, VI, and Part C of Title VII of the ESEA Act of 1965

The Carl Perkins Vocational and Applied Technology Education Act

The General Education Provisions Act

Parts of Education Department General Administrative Regulations

In requesting such waivers, the Superintendent is to abide by the procedures established by the State Department of Education.

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - EDUCATIONAL OUTCOME GOALS
Code	po2131
Status	Policy Committee
Legal	A.C. 3301-35-02

2131 - EDUCATIONAL OUTCOME GOALS

The Board of Education believes that the mission of the District is being accomplished when there is valid evidence that its educational programs are making it possible for students to achieve one or more of the following educational outcomes, commensurate with their ability and potential:

- A. (X) job skills for the workplace and the skills and attitudes to obtain further education
- B. (X) an understanding of others, including but not limited to those with social and cultural characteristics different from his/her own and of those with mental or physical disabilities and the ability to engage in responsible personal and/or support relationships with those who are different from one's social or ethnic groups
- C. (X) use of the knowledge, attitudes, and skills to contribute effectively to the decision-making processes of the political and other institutions of the community, state, country, and world
- D. (X) use of the knowledge, habits, and attitudes that assure good personal and public health, both physical and mental
- E. (X) the willingness and ability to apply ethical principles and values to his/her own life
- F. (X) an understanding of his/her own worth, abilities, potentialities, and limitations
- G. (X) enjoyment of the process of learning and commitment to continuous learning throughout one's lifetime
- H. (X) the capacities for fulfilling satisfying and responsible roles in family life
- I. (X) an understanding of and the ability to cope with change
- J. (X) the educational goals specified in individual education program plans (IEP's)

~~2131 - INSTRUCTIONAL GOALS~~

~~It is the belief and policy of the South Western City Board of Education that the learning process must accomplish these objectives in a manner that makes learning interesting, relevant, exciting and enjoyable. The Board believes these objectives can only be accomplished by dedicated teachers and staff who believe in the worth of youth, are committed to these objectives, and are given the encouragement, means, freedom and guidance to accomplish them.~~

~~The District's objectives include:~~

- A. ~~By June 1995, the dropout rate will be reduced to fifteen percent (15%) and by the year 2000 to eight percent (8%).~~
- B. ~~To increase community participation throughout the district by fifty percent (50%) by 1995.~~
- C. ~~The District will obtain sufficient funds to accomplish its mission by 1995.~~
- D. ~~By 1995, to have 100% of students reaching their anticipated achievement level.~~
- E. ~~By 1995, all graduates of South Western City Schools will have obtained the skills necessary to enter higher education or the job market.~~
- F. ~~By 1992, provide the administrative staff with skills of visionary leadership and the opportunity to exercise those skills.~~
- G. ~~Exercise sound fiscal management while meeting mission and objectives.~~
- H. ~~Focus of all educational training must continue to be directed to the educational needs of the students.~~

~~The objectives of the instructional program are to be considered guides rather than limits capable of wide interpretation and flexible enough to meet the changing needs of both students and society.~~

~~CROSS REFS.:~~

~~1 401, Educational Philosophy~~

~~1 0500, School District Objectives~~

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Rescind - SCHOOL DISTRICT GOALS AND OBJECTIVES
Code	po2131.01
Status	Policy Committee
Legal	A.C. 3301-35-02(A)
Adopted	October 9, 1989

~~2131.01~~ **SCHOOL DISTRICT GOALS AND OBJECTIVES**

A. ~~Develop Mastery of Basic Skills~~

~~The South Western City Board of Education will promote the acquisition of basic comprehension, communication and computation skills to the greatest extent possible for each student. Efforts will be made to offer each student the opportunity to master the basic skills needed to pursue his/her chosen goals.~~

B. ~~Gain Knowledge and Experience in Natural Sciences, Social Sciences, Humanities and Fine Arts~~

~~The Board will provide opportunities and encouragement for students to gain knowledge and experience in the sciences, humanities and arts.~~

C. ~~Develop a Positive Self Image~~

~~The Board will respond to students' need to develop a positive self image and will cultivate within students the ability to determine, understand and examine their own capabilities, interests and goals.~~

D. ~~Develop Skills of Constructive and Critical Thinking~~

~~The Board will foster skills of constructive and critical thinking in order to enable each student to deal effectively with situations and problems in an independent, self fulfilling and responsible manner.~~

E. ~~Develop Skills Appropriate to a Technological Society~~

~~The Board will provide students with information necessary to function in a rapidly changing work place.~~

F. ~~Develop Respect for Others and the Law~~

~~The Board will promote the development of students who are mature, responsible citizens with respect for the rights of others and the law.~~

G. ~~Gain Life long Learning Skills~~

~~The Board will promote an eagerness for learning which will encourage each student to take advantage of educational opportunities beyond formal schooling.~~

H. ~~Gain Understanding of Value Systems, Cultures and Heritage~~

The Board will provide an opportunity for each student to gain knowledge and understanding of social skills, so that s/he is prepared to participate responsibly and successfully in a pluralistic society.

I. Gain Understanding of Economic Roles in Society

The Board will encourage each student to gain a critical understanding of his/her role as a producer and consumer of goods and services and of the principles involved in the production of goods and services.

J. Gain Knowledge and Understanding of the Environment

The Board will encourage student development of an appreciation for the maintenance, protection and improvement of the physical environment.

K. Develop Positive Health Habits and Physical Skills

The Board will help students develop good habits concerning care of the body, avoidance of harmful effects of drugs, alcohol and tobacco. Lifelong physical fitness including lifetime recreational skills will be promoted.

L. Develop Within the Community a Sense of Pride in their Schools

The Board will provide communication with the community, highlighting the strengths of the education program and inviting the community to participate in school functions.

M. Continual Evaluation and Revision of Curriculum

The Board will provide through the evaluation process a curriculum that is pertinent to student and community needs.

CROSS REFS.:

1-0401, Educational Philosophy

9-0100, Instructional Goals

9-0101, Instructional Objectives



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - EDUCATIONAL PROCESS GOALS
Code	po2132
Status	Policy Committee
Legal	A.C. 3301-35-02
Adopted	October 8, 1990
Last Revised	April 10, 1995

2132 - **EDUCATIONAL PROCESS GOALS**

In order to achieve the educational goals for students, the Board of Education will establish policies which will authorize and encourage:

- A. [☒] instruction which bears a meaningful relationship to the present and future needs and/or interests of students;
- B. [☒] specialized and individualized kinds of educational experiences to meet the different needs of students;
- C. [☒] an environment in which interaction among individual students and groups of students helps them learn how and when competition and cooperation are appropriate and productive in accomplishing goals;
- D. [☒] efficient and effective use of educational resources;
- E. [☒] continued professional growth of staff members;
- F. [☒] constructive cooperation with parents and community groups.

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~~2132~~ **INSTRUCTIONAL OBJECTIVES**

~~The educational program of the District will be the result of systematic planning, articulation, implementation and evaluation.~~

~~A competency based curriculum will be developed and implemented in reading, mathematics, English composition, science and social studies according to the requirements and timelines established by the State Minimum Standards.~~

~~Skills, knowledge and attitudes crucial to the student's successful movement to the next level of learning will be identified within each subject area and at each grade level.~~

Instructors will employ those methodologies which will assure accomplishment of the learning necessary for successful movement to the next level.

Courses of study will be evaluated on a rotating basis every five (5) years under the supervision of the Superintendent or his/her designee. This evaluation will consider the achievement of learning objectives and learning outcomes. This evaluation will promote and guide appropriate revision and updating. The evaluated course of study will be presented to the South Western City Board of Education for adoption or re-adoption.

CROSS REF.:

1-0401, Educational Philosophy

1-0500, School District Goals and Objectives

9-0100, Instructional Goals



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	Policy Committee
Legal	R.C. 3301.0711, 3302.01, 3302.03, 3313.61, 3313.611, 3313.612, 3317.03 A.C. 3301-35-02(A) Fourteenth Amendment, U.S. Constitution 20 U.S.C. Section 1681, Title IX of Education Amendment Act 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act 29 U.S.C. Section 794, Rehabilitation Act of 1973 42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964 42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990 as amended 29 C.F.R. Part 1635 34 C.F.R. Part 110 (7/27/93) Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979 Title III of the No Child Left Behind Act of 2001
Adopted	October 8, 1990
Last Revised	May 7, 2018

2260 - **NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered

in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent or his/her designee shall:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based upon the Protected Classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the Protected Classes in all aspects of the program;

C. Student Access

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 – Use of District Facilities, for non- curricular student activities that are initiated by parents or other members of the community, including but not limited to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society.

D. District Support

verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the Protected Classes.

District Compliance Officers

The Board designates ~~the following individual~~ **an administrator** to serve as the District's "Compliance Officer" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "CO").

~~Amber Hufford~~
~~Student Services Coordinator~~
~~3805 Marlane Drive~~
~~Grove City, OH 43123~~
~~614-801-3000~~

The name, title, and contact information of this individual will be published annually on the School District's Web site **at <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>**.

The CO is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Superintendent/Designee shall annually attempt to identify children with disabilities, ages 3-22, who reside in the District but do not receive public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation, and exit guidelines and shall be designed to

provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (see AG 2260F).

Reports and Complaints of Unlawful Discrimination and Retaliation

Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the CO at his/her first convenience. Acts of unlawful discrimination and/or retaliation under this Policy are "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations.

Members of the School District community, which includes students or third parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

Investigation and Complaint Procedure

A "grievance" is a complaint of disability discrimination (including harassment) filed by a student and/or parent, employee, or member of the public. Grievances regarding Prohibited Conduct and investigations thereof will be processed as complaints under the requirements of Policy 1662.01 Compliance Office Investigations with the following modifications:

Step 1 – As part of the formal complaint procedure, the Compliance Officer shall permit the complainant to present witnesses and other evidence in support of his/her complaint.

The Compliance Officer's report issued following the formal investigation will be the written disposition regarding the grievance.

Step 2 – If the grievant wishes to appeal the decision in Step 1 above, he/she may submit a signed, written appeal to the Superintendent within ten (10) business days after receipt of the written disposition. The Superintendent or his/her designee shall respond to the complaint, in writing, within ten (10) business days of the date of the appeal. Copies of the response shall be provided to both the grievant and the person who is the subject of the complaint.

The complainant may be represented, at his/her own cost, throughout the grievance and appeal process.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies. In fact, a person is not required to use this procedure and may, at any time, file a complaint directly with the:

U.S. Department of Education's Office for Civil Rights
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44113
Telephone: (216) 522-4970
Facsimile: (216) 522-2573
Email: OCR.Cleveland@ed.gov

The Compliance Officer will provide a copy of the District's complaint procedure to any person who files a grievance.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Revised 5/10/04

Revised 8/8/05

Revised 2/12/07

Revised 8/11/08

Revised 3/14/11

Revised 2/11/13

Revised 7/14/14

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY
Code	po2260.01
Status	Policy Committee
Legal	29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended, 34 C.F.R. Part 104 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
Adopted	October 9, 1989
Last Revised	May 7, 2018

2260.01 - **SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY**

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA"), and the implementing regulations (collectively "Section 504/ADA"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Education does not discriminate in admission or access to, or participation or treatment in its programs or activities. As such, the Board's policies and practices will not discriminate against students with disabilities and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

"An individual with a disability" means a person who has, has a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavior or adaptive neurological modifications.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Ohio law to provide educational services to disabled persons;
or
- C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

District Compliance Officer

The Board designates ~~the following individual~~ **an administrator** to serve as the District's 504 Compliance Officer/ADA Coordinator (hereinafter referred to as the "District Compliance Officer").

Name/Title: ~~Amber Hufford, Student Services Coordinator~~

Address: ~~3805 Marlane Drive
Grove City, OH 43123~~

Phone: ~~614 801 3000~~

The name, title, and contact information of this individual will be published annually on the School District's Web site ~~at <https://www.swcsd.us/Section504.aspx>~~.

Building Principals shall serve as Building Section 504/ADA Compliance Officer(s) ("Building Compliance Officers").

The District Compliance Officer is responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the District Compliance Officer.

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. The Board will further establish and implement a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing. See AG 2260.01B.

Training

The District Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing

accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities.

Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who have a physical or mental impairment that substantially limits one or more major life activities, regardless of the nature or severity of their disabilities. An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under IDEIA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

The Board will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Non-academic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and non-academic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such services and activities to the maximum extent appropriate.

Notice

Notice of the Board's policy on nondiscrimination in education practices and the identity of the District's Compliance Officer(s) will be posted throughout the District, and published in the District's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), parents and students will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, students and their parents will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights. Finally, students and parents will be advised of their right to request a due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation or educational placement of persons with disabilities, and their right to examine relevant education records.

Internal complaints and requests for due process hearings must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint or the request for a hearing, and offer possible solutions to the dispute. The complaint or request for due process hearing must be filed with a District Compliance Officer within specified time limits. The District's Compliance Officer is available to assist individuals in filing a complaint or request.

Internal Complaint Procedures

An internal complaint may be filed by a student and/or parent. Such complaints are "grievances" for purposes of Policy 2260 Nondiscrimination and Access to Equal Educational Opportunity, and will be processed in accordance with that policy and Policy 1662.01 Compliance Officer Investigations. A student and/or parent may initiate the internal complaint procedure when s/he/they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the grievance procedure may be used for any disagreement with respect to actions regarding the identification,

evaluation, or educational program or placement of students who are identified as disabled or believed to be disabled pursuant to Section 504, and are not eligible under the IDEIA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights or requesting a due process hearing.

If it is determined that the Complainant was subjected to unlawful discrimination, the Building and District COs must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if a student or parent believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Except in extraordinary circumstances, the OCR does not review the result of individual placement and other educational decisions, so long as the District complies with the "process" requirements of Subpart D of Section 504.

Revised 2/14/00
Revised 6/07
Revised 3/14/11
Revised 3/12/12
Revised 7/14/14

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Book	Policy Manual
Section	Special Update - H.B. 214 - November 2024
Title	New - PROTECTIONS OF INDIVIDUAL BELIEFS, AFFILIATIONS, IDEALS, OR PRINCIPLES OF POLITICAL MOVEMENTS AND IDEOLOGY
Code	po2265
Status	Policy Committee
Legal	R.C. 3313.207, .208, .209 R.C. 3319.614 R.C. 5104.0112

2265 - PROTECTIONS OF INDIVIDUAL BELIEFS, AFFILIATIONS, IDEALS, OR PRINCIPLES OF POLITICAL MOVEMENTS AND IDEOLOGY

The Board of Education is committed to establishing a school and work environment that supports the free exchange of ideas and allows employees and students to maintain their own beliefs, affiliations, ideals, political opinions, and ideology without fear of repercussion.

To that end, the Board will not solicit or require employees or job applicants to affirmatively ascribe to or express opinions about specific beliefs, affiliations, ideals, principles concerning political movements, or ideology. The Board shall not use statements of commitment to specific beliefs, affiliations, ideals, or principles concerning political movements or ideology as part of any evaluation criteria for employees or job applicants, or as a factor in determining an employee's career advancement, assignment, or job benefits.

Likewise, the Board shall not solicit or require current or prospective students who seek enrollment in the District to affirmatively ascribe to specific beliefs, affiliations, ideals, or principles concerning political movement or ideology, nor will the District use any statements of commitment to specific beliefs, affiliations, ideals, or principles concerning political movements or ideology to evaluate the student's academic performance.

The Board maintains its authority to take disciplinary and other types of action against employees and students who violate State and Federal laws, including anti-discrimination laws, in accordance with Board Policy, administrative guidelines, (X) the provisions of an adopted collective bargaining agreement, and the student code of conduct where applicable.

Nothing in this policy is intended to modify or limit an educator's academic freedom, or an educator's ability to research or write publications about specific beliefs, affiliations, ideals, or principles concerning political movements, ideology, or social actions.

This policy shall not prohibit, limit, or restrict the Board's authority to consider a job applicant's scholarship, teaching, or subject matter expertise in the applicant's given field of study, nor does it limit the Board's authority to offer an established character education program.

The Board shall make all policies, District guidance, and training materials used for students and employees on all matters regarding specific beliefs, affiliations, ideals, or principles concerning political movements or ideology publicly available unless such documents or materials contain protected legal communications or guidance.

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - TITLE IX SEX DISCRIMINATION AND SEXUAL HARASSMENT
Code	po2266
Status	Policy Committee
Legal	R.C. 3313.207/208/209, 5104 20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX) 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) 42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964 42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq. 42 U.S.C. 1983 34 C.F.R. Part 106 OCR's Revised Sexual Harassment Guidance (2001) 20 U.S.C. 1092(F)(6)(A)(v) 34 U.S.C. 12291(a)(10) 34 U.S.C. 12291(a)(8) 34 U.S.C. 12291(a)(30)
Adopted	January 4, 2021

2266 - **TITLE IX SEX DISCRIMINATION AND SEXUAL HARASSMENT**

I. Purpose and Statement of Policy

A. Scope and applicability

The District is required by federal and state law to provide an academic and working environment that is free from discrimination on the basis of sex. Federal regulations require specific processes when allegations of sexual discrimination may constitute sexual harassment under Title IX of the Educational Amendments of 1972. This Policy outlines the policies and procedures that the District will use to address reports of conduct that constitute sex discrimination and sexual harassment as defined by Title IX and its implementing regulations ("Title IX violations"). The District does not discriminate in its education program or activities, which include admission to and employment at the District.

The District has also adopted a grievance procedure to provide the prompt and equitable resolution of student and employee complaints of Title IX violations. This procedure also describes how members of the District's community can report or file a complaint of Title IX violations, and will outline how the District will respond to these reports and

formal complaints.

The District has designated ~~the following employee~~ **an administrator** to coordinate its efforts to comply with Title IX. ~~This individual is called the Title IX Coordinator. The Title IX Coordinator's contact information is below: The name, title, and contact information of this individual will be published annually on the School District's Web site at <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>~~

~~Amber Hufford~~
~~Coordinator of Student Services~~
~~(614) 801-3000~~
~~3805 Marlane Drive~~
~~Grove City, OH 43123~~

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person who has been subject to the conduct that constitutes sex discrimination or sexual harassment. This could be done in person, by mail, by telephone, or by electronic mail using the contact information listed above for the Title IX Coordinator. Such a report can be made at any time (including during non-business hours) by using the telephone number, email address, or by sending mail to the office address listed above.

Please note that a report of sexual harassment does not automatically result in a formal investigation as defined in this policy. The Title IX Coordinator will work to provide supportive measures, access to resources, information about formal and informal resolution procedures, and information about filing a report with the appropriate law enforcement agency.

B. Jurisdiction

Under this Policy, the District has jurisdiction to address conduct that constitutes Title IX violations that occur within the District's educational programs or activities within the United States. For the purposes of the Policy, the District's "educational programs or activities" include locations, events, or circumstances over which the District exercises substantial control over both the responding party and the context in which the prohibited conduct occurred.

The District maintains the right to respond to conduct prohibited under this Policy that occurs on campus, at District events, regardless of where they occur, and academic, co-curricular and extra-curricular programs that occur off-campus, including those that occur outside the United States, under other provisions of its policies, procedures and/or the code of conduct.

II. Definitions

For purposes of this policy, the following definitions are applicable:

Actual knowledge: Actual Knowledge is notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or any other District employee except for the respondent.

Complainant: A Complainant is defined as an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Day: A day is defined as a school day.

Formal complaint: Formal complaint is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the District's education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator or any additional method designated by the District. Additionally, a "document filed by a complainant" can be in the form of an electronic submission (such as by electronic mail or through an online portal provided for this purpose by the District) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. In situations where the Title IX Coordinator initiates or signs a formal complaint, the Title IX Coordinator is not a complainant and must comply with the guidelines outlined in this section.

Respondent: A Respondent is defined as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Title IX Coordinator: The Title IX Coordinator is the employee, or employees, designated to coordinate the District's efforts to comply with Title IX and its regulations found in Part 106 of Title 34 of the Code of Federal Regulations. The Title IX Coordinators will designate other individuals, regardless of whether such individuals are District employees or neutral third-parties, to perform the duties of investigator(s), decision-maker(s), appeal officer(s) and person(s) who facilitate informal resolutions under this Policy. No person can fill more than one of these roles on a particular matter. For instance, the investigator cannot also be the decision-maker in the same case.

III. Privacy and Confidentiality

Privacy and confidentiality have separate and distinct meanings under this Policy:

A. Privacy

The District strives to respect the privacy of both parties and other participants in the Title IX investigation process. Privacy generally means that information related to the report and investigation of alleged Title IX violations will only be shared with a limited selection of individuals whose knowledge is necessary to respond to claims of such violations. Such responses include the reviewing of reports, investigating claims, participating in investigations, reviewing appeals, and other related issues. Student education records are protected in compliance with the Family Educational Rights and Privacy Act (FERPA), Revised Code Section 3319.321 and other applicable laws in Ohio.

The District must obtain written consent from a party before the District may receive any health or other treatment records. If a party provides written consent for medical or other treatment records to become part of an investigation's case file, both parties must be able to review and comment on those records if the investigation moves towards an investigative report and decision.

B. Confidentiality

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statutes or regulations, as required by law, or to carry out the purposes of this Policy, including the conduct of any investigation, decision-making process, or judicial proceeding arising thereunder.

Confidentiality applies to certain types of information that cannot be revealed or distributed to other persons without express permission of the individual to whom the information pertains, or as otherwise permitted or required by law. Certain campus and community professionals, such as health care and mental health professionals, maintain confidential relationships in their professional capacities with patients and clients under the privilege created by Ohio law.

Limits to confidentiality include:

1. Mandatory Reporting of Child Abuse

All District employees and officials are mandatory reporters of child abuse and neglect unless otherwise excepted by law. Where an alleged Title IX violation also may constitute child abuse or neglect, employees are required to report such abuse or neglect to Children Services and/or Law Enforcement, as is required by law. The Title IX Coordinator should be informed that such a report has been made when an alleged Title IX violation is involved.

2. Ohio Felony Reporting Requirement

Under Ohio law, all individuals, excluding confidential resources, must report felonies, including sexual violence. Under Ohio Revised Code Section 2921.22, medical professionals, mental health professionals and clergy are not required to report felonies. This legal requirement means that the Title IX Coordinator must report any felony to law enforcement officials. To the extent reasonably possible, the District will communicate with the Complainant or Reporting Person in advance of any report to law enforcement. The Complainant has the choice of whether and how to participate in any subsequent criminal investigation.

3. Ohio Medical Professional Reporting Requirements

In Ohio, medical professionals have distinct legally mandated reporting responsibilities. Where a medical professional knows or has reasonable cause to believe that serious physical harm resulted from an offense of violence, the medical professional is required to make a report to law enforcement. Medical professionals

must deem a patient medically stable before reporting and must communicate to the patient that the patient does not have to report and/or speak to the police. If the patient chooses not to speak to police at the time of the medical examination, the medical professional does not need to report the patient's name - only the date, general time, and general location of the incident.

4. Risk of Harm to Self or Others

Mental health professionals are required to disclose information where there is an imminent threat of harm to self (the client) or others.

IV. Making a Formal Report

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District. A complainant may file a formal complaint by either using the District-provided electronic submission system, or by physically or digitally signing a document and filing it as authorized in person, by mail, or by email. There is no time limit or statute of limitations on a complainant's decision to file a formal complaint.

When the Title IX Coordinator believes that with or without the complainant's desire to participate in a grievance process, the allegations require an investigation, the Title IX Coordinator has the discretion to initiate a grievance process. In deciding whether to initiate the grievance process without a complainant's desire to file a formal complaint, the Title IX Coordinator will consider:

- A. Whether there is a pattern of alleged misconduct by a particular respondent; and
- B. Whether a complainant's allegations involved violence, use of weapons, or similar factors.

While reporting of all harassment by everyone is encouraged, third parties other than the Title IX Coordinator are not permitted to file formal complaints.

In situations where the Title IX Coordinator initiates or signs a formal complaint, the Title IX Coordinator is not a complainant and such an action is not an indication of bias on the Title IX Coordinator's part. When a formal complaint is signed by the Title IX Coordinator, all parties must receive notice with details of the allegations and the identities of the parties, if known.

To the extent possible, the District will investigate a complainant's formal complaint, even if the respondent's identity is unknown, as the investigation may reveal the respondent's identity.

V. Title IX Violations

A. Title IX Sexual Harassment

"Sexual harassment" within the scope of Title IX and for purposes of this Policy means conduct on the basis of sex that satisfies the definition of one or more of the following:

1. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (employee-to-student quid pro quo);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity (hostile environment sexual harassment); or
3. Sexual assault, dating violence, domestic violence, or stalking.

a. Sexual Assault

The term "sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. The term includes rape, sodomy, sexual assault with an object, fondling, incest and statutory rape.

b. Dating Violence (Clery/VAWA (34 C.F.R. 668.45))

"Dating Violence" means an act of violence committed by a person who is or has been in a romantic or intimate relationship with the complainant. The existence of such a romantic or intimate relationship is determined by the length of the relationship, the type of relationship, and the

frequency of interactions between the individuals involved in the relationship.

Acts of violence may include, but are not limited to:

1. Recklessly causing bodily injury;
2. Attempts to cause bodily injury; and
3. Causing fear of immediate, physical harm through threat of force.

c. Domestic Violence

The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Acts of violence may include, but are not limited to:

1. Recklessly causing bodily injury;
2. Attempts to cause bodily injury; and
3. Causing fear of immediate, physical harm through threat of force.

d. Stalking

The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. fear for his or her safety or the safety of others; or
2. suffer substantial emotional distress.

B. Retaliation

Neither the District nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Policy, or because the individual has made a report or complaint, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or decision-making process under the Title IX regulations and/or this Policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by title IX or the regulations, constitutes retaliation. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination adopted by the District and set forth in this Policy.

The District will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The District offers supportive measures to both complainants and respondents. Upon receipt of a report of an identifiable complainant, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint and explain to the complainant the process for filing a formal complaint. If the Title IX Coordinator does not offer supportive measures to the complainant, the Title IX Coordinator must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Upon noticing a respondent of a report raising potential sexual harassment violations against the respondent, the Title IX Coordinator will discuss with the respondent the availability of counseling and may discuss the availability of other supportive measures discussed above, where the Title IX Coordinator deems appropriate.

Throughout any informal process, formal process, and/or appeals process, the Title IX Coordinator will continually reassess and discuss appropriate supportive measures with the parties to ensure they remain effective.

The respondent is no longer enrolled or employed by the District, or; specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Such a dismissal does not preclude the District from proceeding under another District conduct process.

The District will send written notice of the dismissal and the reasons for dismissal simultaneously to all parties.

C. Equitable Treatment

Complainants and respondents are eligible for Supportive Measures as defined within this Policy. The District will not impose disciplinary sanctions against a respondent pursuant to the Policy unless a determination of responsibility for sexual harassment has been made against the respondent.

The District will conduct an objective evaluation of all relevant evidence – including both evidence indicating that the respondent is responsible for the alleged policy violation (“inculpatory evidence”) and evidence indicating that the respondent is not responsible for the alleged policy violation (“exculpatory evidence”). The District will not require, allow, rely upon, evaluate, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected by a legally recognized privilege (e.g., attorney client), unless the person holding such privilege has waived the privilege.

D. Bias and Conflicts of Interest

Any individual designated by the District as a Title IX Coordinator, investigator, decision-maker, or any person designated by a District to facilitate an informal resolution process, must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The following will not be considered evidence of bias:

1. The Title IX Coordinator’s initiation of a formal complaint, or;
2. An individual’s decision that allegations warrant an investigation.

The District will apply an objective (whether a reasonable person would believe bias exists), common sense approach to evaluating whether a particular person serving in a Title IX role is biased, and will exercise caution not to apply generalizations that might unreasonably conclude that bias exists. An individual’s current job title, professional qualifications, past experience, identity, or sex will not alone indicate bias.

Use of trauma-informed practices will not be considered evidence of bias when such practices do not:

1. Rely on sex stereotypes;
2. Apply generalizations to allegations in specific cases;
3. Cause loss of impartiality, and;
4. Prejudge of the facts at issue.

E. Presumption of Not Responsible

There is a presumption that a respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

F. Timeframe

The District will attempt to complete most investigations within sixty (60) days. The timeframe for formal investigations will begin upon filing of a complaint and will conclude upon submittal for adjudication. Investigations may be delayed and timeframes for investigations may be extended for good cause and with written notice provided by the District to complainants and respondents including the reason for the delay or extension. Good cause may

include considerations such as the absence of a party; a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Delays caused solely by administrative needs are not considered good cause. The District will attempt to accommodate the schedules of parties and witnesses; however, grievance resolution must be completed in a reasonably prompt timeframe, and must proceed to conclusion even in the absence of a party or witness.

G. Sanctions and Remedies

If it is determined that a respondent violated the Policy, the District will institute sanctions reasonably calculated to stop the conduct and prevent its recurrence. Sanctions for respondents may include anything from a warning, up to and including disciplinary expulsion or termination. The District will also provide remedies to complainants found to have been subjected to conduct which violates the Policy. Remedies could include counseling, academic accommodations, academic support, and employment accommodations.

H. Evidence

The standard of evidence under this policy for review of formal complaints against students and employees, including faculty, is preponderance of the evidence. The standard of evidence reflects the "degree of confidence" that a decision-maker has in the correctness of the factual conclusions reached. Under the preponderance of the evidence standard, the decision-maker determines that a conclusion is based on facts that are more likely true than not. Where the decision-maker determines that the evidence in a case is "equal" or "level" or "in equipoise," the preponderance of the evidence standard has not been met and results in a finding that the respondent is not responsible.

The District will apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties.

The District will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent.

The District will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The District will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. A party's communication with a witness or potential witness is considered part of a party's right to meaningfully participate in furthering the party's interests in the case, and not an "interference" with the investigation. However, where a party's conduct toward a witness might constitute "tampering" (for instance, by attempting to alter or prevent a witness's testimony), such conduct also is prohibited as retaliation.

The parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source. The District will not consider or provide for inspection and review evidence which the District knows was illegally or unlawfully created or obtained. The District may impose on the parties and party advisors restrictions or require a non-disclosure agreement not to disseminate any of the evidence subject to inspection and review.

Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report.

I. Emergency Removal

If, after receipt of a complaint and an individualized safety and risk assessment, the District determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of a respondent, the District may remove the respondent on an emergency basis. A removed respondent will receive notice and an opportunity to challenge the decision immediately following

the removal. Any emergency removal under this paragraph must also comply with ORC 3313.66, the IDEIA, and Section 504 of the Rehabilitation Act, as applicable and is not considered discipline for purposes of this policy. Threats must pose more than a generalized, hypothetical, or speculative risk to health and safety for emergency removal to be appropriate. Non-student employees may be placed on administrative leave during the grievance process.

J. Notice

The District will provide to all known parties written notice, five (5) calendar days prior to an interview, of:

1. The District's grievance process;
2. Allegations of sexual harassment, including sufficient details known at the time;
3. The District's position that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
4. The parties right to have an advisor of their choice, who may be an attorney;
5. The parties right to inspect and review evidence;
6. The District's prohibition on knowingly making false statements or knowingly submitting false information during the grievance process;
7. The date, time, location, participants, and purpose of all decision-making processes, investigative interviews, or other meetings, and;
8. Additional allegations not included in the original notice.

K. Consolidation of Formal Complaints

The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. The same facts and circumstances means that the multiple complainants' allegations are so intertwined that their allegations directly relate to all parties.

L. Advisors

Parties will have equal opportunities to have others present during the grievance proceeding, including the opportunity to be accompanied by the advisor of their choice, who may be, but is not required to be, an attorney. The District will not limit the choice or presence of an advisor for complainant or respondent in any meeting or grievance proceeding. Advisors are required to abide by District restrictions regarding the extent to which they may participate in proceedings, and any restrictions will apply equally to both parties. If a party's advisor refuses to comply with restrictions set by the District, the District may require the party to use a different advisor.

M. Investigative Report

The District will prepare an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a time of determination regarding responsibility, send to each party and the party's advisor, if any, an unredacted copy of the investigative report in an electronic format or a hard copy, for their review and written response. This ten (10) day period for the parties to provide written responses runs concurrently with the ten (10) day period in Article VIII (A) for parties to provide any questions to the decision-maker. The report will not include a summary of evidence not considered to be relevant. If a party disagrees with an investigator's determination about relevance, the party may argue relevance in the written response to the investigative report.

The investigative report may include recommended findings and conclusions; however, the decision-maker will objectively evaluate relevant evidence and will not defer to recommendations made by the investigator.

The investigative report may include a credibility analysis, but such analysis cannot result in a determination regarding responsibility.

If the report involves multiple complainants, multiple respondents, or both, the District may issue a single investigative report.

VIII. Adjudication

A. Submission of Information to the Decision-Maker

The Title IX Coordinator will appoint a person to serve as decision-maker for the complaint. The decision-maker will not be the Title IX Coordinator or the investigator. The Title IX Coordinator will provide the decision-maker with the investigative report and the evidence gathered by the investigator. The decision-maker is under an obligation to objectively evaluate all relevant evidence both inculpatory and exculpatory, and must therefore independently reach a determination regarding responsibility without giving deference to the investigative report. The decision-maker has the right and responsibility to ask questions and elicit information from parties and witnesses on the decision-maker's own initiative to aid the decision-maker in obtaining relevant evidence both inculpatory and exculpatory, and the parties also have equal rights to present evidence to the decision-maker so the decision-maker has the benefit of perceiving each party's unique perspectives about the evidence. The decision-maker may extend the timelines in the adjudicatory phase upon good cause.

After the District sends the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker will afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness. The parties will provide any questions to the decision-maker within ten (10) days of issuance of the investigative report. This ten (10) day period runs concurrently with the ten (10) day period in Article VII (L) for the parties to provide written responses to the investigative report. After the close of the period to submit questions, the decision-maker will forward relevant questions to each party/witness. Each party/witness will have five (5) calendar days to provide the decision-maker with answers, which the decision-maker will share with the parties. The decision maker will allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless 1) it is offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or 2) it concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent. The decision-maker will explain to the party proposing the questions any decision to exclude a question as not relevant.

B. Relevance

During the adjudication process only relevant questions may be asked of a party or witness. The following may be considered irrelevant:

1. Repetition of the same question;
2. Evidence that is duplicative of other evidence;
3. Information protected by a legally recognized privilege;
4. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior, unless:
 - a. Such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or;
 - b. The questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent;
5. Any party's medical, psychological, and similar records, unless the party has given voluntary, written consent, and;

The District will not exclude relevant evidence because such relevant evidence may be unduly prejudicial, concern prior bad acts, or constitute character evidence. However, the decision-maker may objectively evaluate such evidence by analyzing whether that evidence warrants a high or low level of weight or credibility.

C. Determination Regarding Responsibility

The decision-maker will issue a written determination of responsibility. The determination of responsibility will include:

1. Identification of the allegations potentially constituting sexual harassment;

2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits and methods used to gather other evidence;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the Policy to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies will be provided by the District to the complainant, and;
6. The District's procedures and permissible basis for the complainant and respondent to appeal.

While the determination will indicate whether remedies will be provided, the nature of such remedies will not be included within the determination. The determination will be provided to the parties simultaneously. The determination becomes final only after the time period for appeal has expired or, if a party does file an appeal, after the appeal decision has been sent to the parties.

D. Weighing Credibility

The decision-maker will evaluate all relevant evidence for weight or credibility. The degree to which any inaccuracy, inconsistency, or implausibility in a narrative provided by a party or witness should affect a determination regarding responsibility is a matter to be decided by the decision-maker. Credibility determinations are based on various factors (e.g., specific details, inherent plausibility, internal consistency, corroborative evidence). Corroborating evidence is not required.

E. Remedies

Where a determination of responsibility for sexual harassment is made, the District will provide remedies to a complainant designed to restore or preserve equal access to the District's education program or activity. Such remedies may include the same individualized services provided as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. The Title IX Coordinator is responsible for effective implementation of remedies. Where the final determination has indicated that remedies will be provided, the complainant can then communicate separately with the Title IX Coordinator or his/her designee to discuss what remedies are appropriately designed to preserve or restore the complainant's equal access to education. Remedies for a complainant which do not affect the respondent must not be disclosed to the respondent. Persons found to be responsible for violations of this Policy are subject to discipline, up to and including expulsion and/or termination of employment with the District.

IX. Appeals

Complainants and respondents may appeal the decision-maker's determination regarding responsibility, or the District's dismissal of a formal complaint or any allegations therein by filing a notice of appeal with the Title IX Coordinator, including the grounds supporting the appeal, within five (5) calendar days of issuance of the determination. The District will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. The parties must file their written statement with the District within five (5) calendar days of receipt of the notice of appeal. The appeal officer will issue a written decision describing the result of the appeal and the rationale for the result within five (5) school days of the due date for the written statements of the parties and provide the written decision simultaneously to both parties.

The grounds for appeal are:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter, and;
- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

All grounds for appeal will be available to all parties.

The appeal officer will not be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator.

X. Informal Resolution

The District does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, the waiver of the right to an investigation and adjudication of formal complaints of sexual harassment under this Policy. Similarly, the District does not require the parties in a sexual harassment allegation to participate in an informal resolution process, as described below.

After the initiation of a formal complaint of sexual harassment, if all parties voluntarily consent in writing, the District will assist the parties in an informal resolution process. The informal resolution process will follow the procedures set forth in policy 1662.01 to the extent that such procedures are not inconsistent with this policy. An informal resolution process is available at any time prior to reaching a determination regarding responsibility in the grievance process, except in the cases of reports of sexual harassment of a student by a District employee.

Before initiating an informal process, the District will: 1) provide the parties a written notice; and 2) obtain the parties' voluntary, written consent to the informal resolution process. The written notice that the District will provide to the parties will disclose the allegations, the requirements of the informal resolution process (described below), and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared. The District's informal process provides that, at any time prior to agreeing to a resolution, any party has a right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

Upon initiation of the informal process, the Civil Rights Coordinator will designate an individual who will attempt to mediate the dispute through meetings with the parties. Although face-to-face mediation or a restorative justice conference may be suggested, parties will never be required to meet directly with one another as part of the informal resolution process.

When sexual harassment allegations can be resolved through informal resolution by mutual consent of the parties and on a basis that is acceptable to the Title IX Coordinator, the resolution process shall be considered finally decided and there will be no subsequent process or appeal.

XI. Record Keeping

The District will retain all records of each investigation instituted under this policy for seven (7) years. Records will include all documents, recordings, or transcripts from investigations, decision-making processes, appeals, and informal resolutions. The first date of the first record created by the District will begin the seven (7) year retention period. Records will be maintained for all investigations including investigations that have been dismissed, completed, or otherwise resolved.

The District will also maintain and publish on the District's website training materials of employees who serve as Title IX Coordinators, investigators, decision-makers, and persons who facilitate informal resolutions.

XII. Educational Programs

The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including decision-making processes, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. This includes how to apply the definitions with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with this policy.

Investigators will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Decision-makers will receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Training under this section is required on an as-needed basis. Training materials for training under this section will be made publicly available through the District's website. Published training materials will be up-to-date and reflect the latest training provided.



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - CAREER ADVISING
Code	po2413
Status	Policy Committee
Legal	R.C. 3301.079, 3313.6020, 3333.16, 3333.168, Chapter 3365 Ohio Model Policy on Career Advising (ODE) (April 2015)

REVISED POLICY - VOL. 41, NO. 1

2413 - CAREER ADVISING

This policy has been developed as prescribed in R.C. 3313.6020 and the State Board of Education's Model Policy. This policy shall be updated at least once every two (2) years. The policy shall be made available to students, parents/guardians/custodians, and local postsecondary institutions, residents of the District, and shall be posted on the District website.

Career advising is an integrated process that helps students understand how their personal interests, strengths, and values might predict satisfaction and success in school and related career fields, as well as how to tie these interests and strengths to their academic and career goals. Students need to have access to comprehensive resources and support to prepare for their future success. Through relevant classroom instruction, career-related learning experiences, and a program of counseling and advising, students can discover their interests and explore academic and career pathway options.

The District's Career Advising Plan shall include:

- A. Grade-level examples that link students' schoolwork to one (1) or more career fields
- B. Career advising to students in grades K-12, which includes age-appropriate activities and also includes creating and maintaining a Student Success Plan beginning in grade six (6).

[X] Advisors will meet with students at least once ~~annually~~ ~~each semester~~ to explore, evaluate, and plan academic and career pathways.

- C. Additional interventions and career advising for students who are identified as at risk of dropping out of school.

[X] These may include:

1. Identifying students who are at risk of dropping out of school using a local research-based method, such as the Early Warning System offered by the Ohio Department of Education, with input from teachers, school counselors, and other appropriate school staff.
2. Developing a Student Success Plan for each at-risk student that addresses the student's academic and career pathway to successful graduation and the role of career-technical education, competency-based education, and experiential learning, when appropriate.
3. Before developing a Student Success Plan, District staff will invite the student's parent/guardian/custodian to assist. If that adult does not participate in the plan development, the District will provide the adult with a

copy of the plan, a statement of the importance of a high school diploma, and a listing of the pathways to graduation available to the student.

4. After the Student Success Plan is developed, the District will provide career advising to the student that is aligned with the Student Success Plan and the District's career advising plan.

- D. Training for employees on how to advise students on career pathways, including training on advising students using the tools available in OhioMeansJobs K-12.
- E. Multiple academic and career pathways through high school that students may choose to earn a high school diploma, including opportunities to earn industry-recognized credentials and postsecondary course credit.
- F. Information on courses that can award students both traditional academic and career-technical credit.
- G. Information regarding career fields that require an industry-recognized credential, certificate, associate's degree, bachelor's degree, graduate degree, or professional degree.
- H. Information about ways to offset the costs of a postsecondary education including:
 1. the reserve officer training corps;
 2. the College Credit Plus (CCP) Program;
 3. the Ohio Guaranteed Transfer Pathways Initiative; and
 4. joint academic programming or dual enrollment opportunities with state universities and community colleges.
- I. Documentation on career advising is provided for review by the student, the student's parent, guardian, or custodian, and schools the student may attend in the future.
- J. The supports necessary for students to have successful transitions from high school to their postsecondary destinations including interventions and services for students in need of remediation in mathematics and English language arts.

R.C. 3301.079, 3313.6020, 3333.16, 3333.168, Chapter 3365
Ohio Model Policy on Career Advising (ODE) (April 2015 December 2014)

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - CAREER EDUCATION
Code	po2422
Status	Policy Committee
Legal	R.C. 3311.18, 3311.19, 3313.53, 3313.56, 3313.90, 3313.91, 3313.911 R.C. 3317.16, 3317.024 A.C. Chapter 3301-61 et seq.
Adopted	October 8, 1990
Last Revised	March 9, 2015

2422 - **CAREER EDUCATION**

The South-Western City Board of Education believes that the schools should provide education that is pertinent to the practical aspects of life and prepare students to make the transition from the school setting to post-secondary training or the world of work. It, therefore, supports the inclusion of career education in the basic curriculum.

Career Education is a program that allows students to 1) gain self-awareness, 2) understand economic concepts, 3) explore work values and the nature of occupations, 4) understand the role each plays in home, school and community, 5) develop job-seeking and job-keeping skills, 6) acquire lifelong learning habits, and 7) learn the basic decision-making process. These seven (7) developmental areas provide students with comprehensive career awareness to make informed decisions about their future.

The Board charges the ~~Career Coordinator~~ **Director of Career Technical Programs**, acting under the supervision of the assistant superintendent, with the responsibility for the implementation of the program.

Career education is a concept that can be taught in the classroom at all grade levels, K-12. The Career Education program will provide staff development opportunities, career education related materials, career information systems, and assessment instruments.

The South-Western City Schools Board of Education authorizes the establishment of advisory committees for all career tech programs. These committees shall have representation of at least business, industry, community, parents, and program related staff. It will also facilitate the involvement of parents and community, and provide effective leadership.

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DELETE POLICY – VOL. 32, NO. 2

SCHOOL-TO-WORK PROGRAM

The Board of Education strongly supports the School-to-Work Opportunities Act as a vehicle to help the District prepare students more effectively for the world of work. Through this legislation, the District will be able to provide students with the following learning experiences needed to develop career-related knowledge, attitudes, and skills as well as life-long learning skills:

- A. School-based Learning which includes career awareness, exploration, and counseling and the integration of academic and vocational learning.
- B. Work-based Learning which provides students with a planned program of job training and/or various types of work experiences that are coordinated with school-based learning.
- C. Connecting Activities which are designed to ensure that there is effective correlation and coordination between what students learn in school and what they learn at worksites.

The Superintendent is authorized to design and implement school-to-work activities and programs, both independently for this District and in cooperation with other districts, that create the three (3) types of learnings described above. In addition, s/he should take the steps necessary to implement Board Policy 9555-Partnerships with Business and also ensure that the District is participating actively in alliances, consortia, and/or committees that are coordinating school-to-work initiatives in this area.

The Superintendent's guidelines for the development and implementation of school-to-work activities/programs need to provide for the following concerns of the Board:

- A. Proposals are submitted to obtain planning and/or implementation funds from the State and other sources, when available and appropriate.
- B. Informed parental consent will be obtained for any out-of-district activities such as career-awareness trips, job shadowing, work experiences, and the like.
- C. Proper supervision is being provided all students when they are participating in learning activities in off-school sites.

- D. All students are being provided appropriate opportunities to participate in school-to-work activities.
- E. Emphasis is being placed throughout the program on the development/reinforcement of a high-quality work ethic by every student.
- F. Each learning activity/program will have defined objectives with clear correlation to career preparation and a means for assessing how well each student is achieving the objectives.
- G. All activities/programs will comply with associated Board policies and District guidelines as well as applicable Federal/State laws.

As appropriate to a particular program initiative, the Superintendent may request waivers from the State on certain statutory or regulatory provisions that are contained in the Elementary and Secondary Education Act and the Carl D. Perkins Vocational and Applied Technology Act.

The Superintendent shall keep the Board informed periodically on the progress of the District toward the goals of this important program.

Public Law 103-239, School-to-Work Initiatives Act of 1994

Adopted 1/13/03



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - SPECIAL EDUCATION
Code	po2460
Status	Policy Committee
Legal	R.C. 3314.19, 3323.02, 3323.05, 3323.07, 3323.051, 3323.08 A.C. 3301-51-01 et seq., 3301-51-02(F) A.C. Chapter 3301-51-02(AF), 3301-51-06 IDEA, 20 U.S.C. 1400 et seq. 34 C.F.R. 300.201
Adopted	April 29, 1996
Last Revised	March 13, 2017

Revised Policy - Vol. 43, No. 2

2460 - SPECIAL EDUCATION

The Board of Education is committed to providing a free appropriate public education ("FAPE") to children with disabilities **between the ages of three (3) and twenty-one (21), inclusive, who have been** identified in accordance with applicable State and Federal laws, rules, and regulations. This includes **children with disabilities who have been suspended or expelled from school, failed or been retained in a course or grade, and are advancing from grade to grade. It further includes students with disabilities** students who are confined to community corrections facilities or juvenile detention centers. ~~This includes students who are confined to community corrections facilities or juvenile detention centers.~~ The District shall provide students with disabilities the services to which they are entitled pursuant to their individualized education programs ("IEPs") and in accordance with the Operating Standards for Ohio Educational Agencies Serving Children with Disabilities, including Child Find and Evaluation requirements. Students with disabilities who are in adult county jails shall continue to receive FAPE during incarceration subject to their continued eligibility for services and subject to exceptions related to security and safety.

In order to satisfy the requirements of the *Operating Standards for Ohio Educational Agencies Serving Children with Disabilities* ("Ohio Operating Standards"), the Board of Education adopts the model policies and procedures promulgated by the Ohio Department of **Education and Workforce ("DEW")** ~~Education's Office of Exceptional Children (ODE OEC)~~, which is incorporated by reference into this policy. While the Special Education Model Policies and Procedures ("Model Policies") issued by the ~~DEW OEC~~ are comprehensive, the document does not include every requirement set forth in the Individuals with Disabilities Education Improvement Act of 2004 ("~~IDEA~~" "~~IDEIA~~"), the regulations implementing the ~~IDEA~~ ~~IDEIA~~, the Ohio Operating Standards, the Ohio Revised Code, and/or the Ohio Administrative Code. As such, the Board affirms its obligation to follow these laws and regulations, regardless of whether their provisions are restated in the Model Policies.

Copies of **the** Model Policies ~~and Procedures~~ are available at the office of the Board of Education.

R.C. **3314.19, 3323.02, 3323.05, 3323.07, 3323.051, 3323.08**
A.C. 3301-51-01 et seq., 3301-51-02(F)

A.C. Chapter 3301-51-02(AF), 3301-51-06

IDEA, 20 U.S.C. 1400 et seq. ~~IDEIA, 20 U.S.C. 1400 et seq.~~

34 C.F.R. 300.201 ~~34 C.F.R. Part 300~~

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Book	Policy Manual
Section	Vol. 43, No. 1 - UGG EDGAR Revisions - October 2024 OH
Title	Revised - CONFLICT OF INTEREST
Code	po3113
Status	Policy Committee
Legal	R.C. Chapter 102, 2921.42, 2921.43 Ohio Ethics Commission Advisory Opinions No. 92-014 and 2001-03 2 C.F.R. 200.112, 200.113, 200.318
Adopted	October 8, 1990
Last Revised	March 13, 2017

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

3113 - CONFLICT OF INTEREST

A. The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by **the** Board of Education's members, and the District's employees, officers, and agents. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence in the School District. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all District employees, officers, and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees, **officers, agents, and Board members**~~officers and agents~~.

1. No employee, **officer, agents, or Board member**~~officer or agent~~ shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities in the school system.
2. Employees, **officers, agents, and Board members**~~officers and agents~~ shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the ~~School~~ District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, **officer's, agent's, or Board member's**~~officer's or agent's~~ employment or professional relationship with the District through **the employee's, officer's, agent's, or Board member's**~~his/her~~ access to ~~School~~ District records
- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration

for such referrals

- d. the requirement of students or clients to purchase any private goods or services provided by an employee, **officer, agent, or Board member** ~~officer or agent~~ or any business or professional practitioner with whom any employee, **officer, agent, or Board member** ~~officer or agent~~ has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
3. Employees, **officers, agents, and Board members** ~~officers and agents~~ shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Exceptions to Part A of this policy shall be approved by the Superintendent **before** entering into any private relationship.
 - C. **No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.** ~~Employees, officers and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~

An employee, officer, agent, and Board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. ~~Employees, officers and agents can not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.~~
 - D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~ District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~ District is unable, or appears to be unable, to be impartial **in conducting a procurement action involving a related organization.**
 - E. Employees, **officers, agents, and Board members** ~~officers and agents~~ must **promptly** disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~ District. Upon discovery of any potential conflict of interest, the ~~School~~ District will **promptly** disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~ agency or, if applicable, the pass-through entity.

The District will also **promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729–3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200** ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.~~
 - F. Employees, **officers, agents, and Board members** ~~officers and agents~~ found to be in violation of this conflict of interest policy will be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy **and may also face criminal charges and/or risk loss of State-issued licenses/permits.**



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po3122
Status	Policy Committee
Legal	R.C. 4112.01, 4112.02 A.C. 3301-35-03(A) Fourteenth Amendment, U.S. Constitution 20 U.S.C. Section 1681, Title IX of Education Amendment Act 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended 34 C.F.R. Part 110 (7/27/93) 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C., 2000e, et seq., Civil Rights Act of 1964 29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended 29 C.F.R. Part 1635
Adopted	October 8, 1990
Last Revised	May 7, 2018

3122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, military status, ancestry, genetic information (collectively, "Protected Classes"), or any other legally protected category, in its programs and activities, including employment opportunities.

District Compliance Officers

The Board designates ~~the following individual~~ **an administrator** to serve as the District's "Compliance Officer" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "CO").

Name/Title: ~~Amber Hufford, Student Services Coordinator~~

Address: ~~3805 Marlane Drive~~
~~Grove City, OH 43123~~

Phone: 614-801-3000

The name, title, and contact information of this individual will be published annually on the School District's Web site at <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>.

The CO is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The CO shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level employee or official who receives such a complaint shall file it with the CO at his/her first convenience. Acts of unlawful discrimination and/or retaliation under this Policy are "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

Investigation and Complaint Procedure (See Form 3122 F2)

Complaints of Prohibited Conduct and investigations thereof will be conducted under the requirements of Policy 1662.01 - Compliance Officer Investigations.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Revised 8/11/08

Revised 3/14/11

Revised 2/11/13

Revised 7/14/14

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po3123
Status	Policy Committee
Legal	29 C.F.R. Part 1630 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended 34 C.F.R. Part 104 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
Adopted	March 12, 2012
Last Revised	May 7, 2018

3123 - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of Education prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other

implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

District Compliance Officer

The Board designates ~~the following individual~~ **an administrator** to serve as District Section 504 Compliance Officer/ADA Coordinator ("Compliance Officer"):

Amber Hufford
Coordinator of Student Services
614-801-3000
3805 Marlane Drive
Grove City, OH 43123
Amber.hufford@swcsd.us

The name, title, and contact information of this individual will be published annually on the School District's Web site **at <https://www.swcsd.us/Section504.aspx>**.

The Compliance Officer is responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Compliance Officer.

The Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

Training

The Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the District's Compliance Officer(s) will be posted throughout the District, and published in the District's recruitment statements or general information publications.

Complaint Procedures

Any conduct prohibited by this Policy constitutes "Prohibited Conduct" for purposes of Policy 1662.01 *Compliance Officer Investigations*. A single act of Prohibited Conduct may be sufficiently severe, pervasive or persistent to create an intimidating, hostile, or offensive working and/or learning environment. If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the complaint procedures set forth in Policy 1662.01 *Compliance Officer Investigations* as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Complaints of Prohibited Conduct and investigations thereof will be conducted under the requirements of Policy 1662.01 *Compliance Officer Investigations*. The Compliance Officer is available to assist individuals in filing a complaint.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Revised 7/14/14

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - TOBACCO USE PREVENTION
Code	po3215
Status	Policy Committee
Legal	A.C. 3701-52 R.C. 3313.20, 3313.47, 3313.751, 3794 et seq. 20 U.S.C. 6081 et seq., 20 U.S.C. 7182
Adopted	November 20, 1995
Last Revised	July 11, 2011

Revised Policy - Vol. 41, No. 2

3215 - ~~USE OF TOBACCO BY PROFESSIONAL STAFF~~ TOBACCO USE PREVENTION

The Board of Education is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

The Board prohibits the use of tobacco or tobacco substitute products by ~~professional staff members~~ employees at all times within any enclosed facility owned, leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to

(☒) school grounds,

(☒) athletic facilities, and

(X) any school-related event,

(X) and in designated areas as defined in statute and by Ohio's Smoke-Free Workplace Program.

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

[X] Advertising/Promotion

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

[X] Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board.

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~~3215 — USE OF TOBACCO BY PROFESSIONAL STAFF~~

~~The Board of Education is committed to providing students, staff, and visitors with a tobacco and smoke free environment. The negative health effects of tobacco use for both users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing non smoking and a tobacco free environment is consistent with the responsibilities of teachers and staff to be our positive role models for our students.~~

~~For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes and any other lighted smoking devices for burning tobacco or any other substances.~~

~~In order to protect students and staff who choose not to smoke or use tobacco from an environment noxious to them, and because the Board does not condone smoking or the use of tobacco, the Board prohibits the use of tobacco or tobacco substitute products by professional staff members at all times within any enclosed facility owned or leased or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board owned and/or operated vehicles used to transport students and to all other Board owned and/or operated vehicles. Such prohibition also applies to school grounds, except in designated areas as defined in statute and by Ohio's Smoke Free Workplace Program.~~

~~CROSS REFS.:~~

~~1215, Use of Tobacco by Administrative Staff~~

~~4215, Use of Tobacco by Classified Staff~~

~~7434, Use of Tobacco on School Premises~~



Book	Policy Manual
Section	Policy Committee August 2020
Title	OTES 2.0 - April 2020 REPLACEMENT - STANDARDS-BASED TEACHER EVALUATION
Code	po3220
Status	Policy Committee
Legal	R.C. 3319.02, 3319.11, 3319.111, 3319.112, 3319.114, 3319.22, 3319.222 R.C. 3319.223, 3319.226, 3319.26, 3333.0411 A.C. 3301-35-03(A) Sub. 216 (2018), H.B. 362 H.B. 64 (2015)
Adopted	October 9, 1989
Last Revised	June 10, 2013

REPLACEMENT POLICY

3220 - STANDARDS-BASED TEACHER EVALUATION

The Board of Education is responsible for a standards-based teacher evaluation policy which conforms to the framework for evaluation of teachers as approved by the State Board of Education and aligns with the "Standards for the Teaching Profession" as set forth in State law.

The Board adopts the Ohio Teacher Evaluation System ("OTES") model as approved by the State Board of Education.

The Board believes in the importance of ongoing assessment and meaningful feedback as a powerful vehicle to support improved teaching performance and student growth, as well as promotion and retention decisions for teachers.

This policy shall be implemented as set forth herein and shall be included in the collective bargaining agreement with the South-Western Education Association, and in all extensions and renewals thereof.

This policy has been developed in consultation with teachers employed by the Board.

The Board authorizes the Superintendent to establish and maintain an ongoing Evaluation Development Committee, with continuing participation by District teachers represented by the South-Western Education Association (SWEA) for the express purpose of recommending necessary changes to the Board for the appropriate revision of the policy.

Definitions

"OTES" - Stands for the Ohio Teacher Evaluation System as required by O.R.C. 3319.111 and 3319.112.

"Teacher" - For purposes of this policy, "teacher" means licensed instructors who spend at least fifty percent (50%) of his/her time providing content-related student instruction and who is working under one (1) of the following:

- A. A license issued under R.C. 3319.22, 3319.26, 3319.222 or 3319.226; or
- B. A permanent certificate issued under R.C. 3319.222 as it existed prior to September 2003; or
- C. A permanent certificate issued under R.C. 3319.222 as it existed prior to September 2006; or
- D. A permit issued under R.C. 3319.301.

Substitute teachers and teachers not meeting this definition are not subject to evaluation under this policy.

The Superintendent, Treasurer, Business Manager, and any "other administrator" as defined by R.C. 3319.02 are not subject to evaluation under this policy.

"Credentialed Evaluator" - means the appropriately qualified individual, assigned by the District, who is responsible for completing the evaluation process for a teacher. For purposes of this policy, each teacher subject to evaluation will be evaluated by a person who:

- A. meets the eligibility requirements under R.C. 3319.111(D); and
- B. holds a credential established by the Ohio Department of Education (ODE) for teacher evaluation; and
- C. has completed State-sponsored evaluation training and has passed an online credentialing assessment.

The Board shall authorize the Superintendent/designee to approve and maintain a list of credentialed evaluators as necessary to effectively implement this policy.

"High-Quality Student Data" – means locally-determined data that provides evidence of student learning attributable to the teacher who is being evaluated. When applicable to the grade level or subject area taught, High-Quality Student Data (HQSD) shall include the value-added progress dimension and the teacher shall use at least one other measure of HQSD to demonstrate student learning. HQSD may also include data obtained from the list of Ohio Department of Education approved student assessments.

High-quality student data may not include student learning objectives (SLOs) or shared attribution measures.

"Value-Added" - refers to the EVAAS Value-Added methodology provided by SAS, Inc., which provides a measure of student progress at the District and school level based on each student's scores on State-issued standardized assessments.

"Evaluation Cycle" - means the period from the establishment of a professional growth or improvement plan through the issuance of an evaluation rating in the year in which a rating is required.

"Evaluation Framework" - means the document created and approved by the Ohio Department of Education (ODE) in accordance with R.C. 3319.111(A) that establishes the standards-based framework for the evaluation of teachers developed under R.C. 3319.112.

"Evaluation Instruments" - refers to the forms developed by the ODE, including the "Teacher Performance Evaluation Rubric".

"Evaluation Procedure" - refers to the procedural requirements set forth in this policy are intended to provide specificity to the statutory obligations established under R.C. 3319.111 and R.C. 3319.112 and to conform to the framework for the evaluation of teachers developed under R.C. 3319.112.

"Final Evaluation Rating" - means the final holistic evaluation rating that is assigned to a teacher pursuant to terms of this policy. The evaluation rating is assigned at the conclusion of the evaluation cycle.

Standards-Based Teacher Evaluation

Teacher evaluations will utilize multiple factors, with the intent of providing meaningful feedback to each teacher and assigning an effectiveness rating based upon teacher performance, student growth, and other locally determined criteria.

Each teacher evaluation will result in an evaluation rating of:

- A. Accomplished;
- B. Skilled;
- C. Developing; or
- D. Ineffective.

The specific standards and criteria for distinguishing between these ratings/levels of performance shall be the same as those developed by the State Board of Education, which are incorporated herein by reference.

The Superintendent shall annually cause to be filed a report to the Ohio Department of Education (ODE) the number of teachers for whom an evaluation was conducted as well as the number of teachers assigned each rating as set forth above, aggregated by teacher preparation programs from which and the years in which the teachers graduated. The Board will utilize the ODE's guidelines for reporting this information.

The Board may elect not to evaluate a teacher who was on leave from the School District for fifty percent (50%) or more of the school year.

The Board may elect not to evaluate a teacher who has submitted a notice of retirement that was accepted by the Board no later than December 1st of the year the teacher was scheduled to be evaluated.

The Board may elect not to evaluate a teacher who is participating in the Ohio teacher Resident Educator program in the year during which the teacher takes at least half of the performance-based assessment as prescribed by the State Board of Education for the first time.

Professional Growth Plans and Professional Improvement Plans

Based upon the results of the annual teacher evaluation, each teacher must develop either a professional growth plan or be placed on a professional improvement plan as follows:

- A. A teacher whose final holistic rating is "accomplished" on his/her most recent evaluation will develop a professional growth plan and may choose his/her credentialed evaluator from those available to the Board for that purpose, utilizing the components determined by the District.
- B. A teacher whose final holistic rating is "skilled" will develop a professional growth plan collaboratively with his/her credentialed evaluator and will have input on his/her evaluator for the next evaluation cycle, utilizing the components determined by the District.
- C. A teacher whose final holistic rating is "developing" will develop a professional growth plan guided by his/her assigned credentialed evaluator, utilizing the components determined by the District.
- D. A teacher whose final holistic rating is "ineffective" will be placed on a professional improvement plan by their assigned evaluator, utilizing the components determined by the District.
- E. A teacher who is new to the profession or new to the District will develop a professional growth plan collaboratively with his/her credentialed evaluator, utilizing the components determined by the District.
- F. The District administration has discretion to place a teacher on an Improvement Plan based on the requirements set forth in the collective bargaining agreement (CBA).

Board Professional Development Plan

In accordance with the Ohio State Board of Education's State-wide evaluation framework, the Board has adopted a specific plan for the allocation of financial resources to support the professional development of teachers covered by this policy. The plan will be reviewed annually.

Assessment of Teacher Performance

Teacher performance will be evaluated during formal observations and periodic informal observations also known as "classroom walkthroughs." Such performance will be used to determine the teacher's evaluation rating and will be assessed through a holistic process by trained and credentialed evaluators based upon the following Ohio Standards for the Teaching Profession:

- A. understanding student learning and development, respecting student diversity, and holding high expectations for all students to achieve and make progress at high levels;
- B. knowing and understanding the content area for which they have instructional responsibility;
- C. understanding and using varied assessments to inform instruction, evaluate and ensure student learning;
- D. planning and delivering effective instruction that advances individual student learning;
- E. creating learning environments that promote high levels of student learning and achievement for all students;
- F. collaborating and communicating with students, parents, other educators, District administrators, and the community to support student learning; and
- G. assuming responsibility for professional growth and performance as an individual and as a member of a learning community.

Formal Observation and Classroom Walkthrough Sequence

- A. A teacher not under consideration for renewal or nonrenewal who is subject to a full evaluation cycle shall be evaluated based on at least two (2) formal observations of at least thirty (30) minutes each and periodic classroom walkthroughs each school year.

The first formal observation will be a holistic observation where the evaluator assesses all areas of the rubric demonstrated during the observation as well as information gained from any pre-observation conference or other sources selected by the evaluator.

The second and any subsequent formal observation(s) will be focused observations in which the evaluator emphasizes identified focus area(s). Identified focus areas will be selected after completion of the holistic observation, and may include area(s) of relative strength and/or area(s) targeted for improvement. Teachers with a final evaluation rating of Accomplished (from the previous year) will select their own focus area(s). A teacher with a final evaluation rating of Skilled (from the previous year) will select focus area(s) in collaboration with his/her evaluator. A teacher with a final evaluation rating of Developing (from the previous year) will be guided by his/her evaluator in determining focus area(s). A teacher with a final evaluation rating of Ineffective (from the previous year) will have focus area(s) selected by the evaluator. A teacher new to the profession will select focus area(s) in collaboration with his/her evaluator." Evaluators will collect evidence during the focused observation to assess the identified focus area(s). Evaluators will also document evidence to support the final evaluation rating.

- B. A teacher new to the District or any teacher on a limited contract who is under consideration for renewal/nonrenewal shall receive at least three (3) formal observations in addition to periodic (at least two (2)) classroom walkthroughs.

A teacher who receives a rating of "Accomplished" on his/her most recent evaluation may be evaluated once every three (3) years. The teacher will be required to submit a self-directed professional growth plan to the evaluator, and the evaluator will determine if the teacher is making progress on the plan. The professional growth plan will focus on the most recent evaluation of the teacher. The teacher will be provided with at least one (1) formal or informal observation and post-conference in any year that such teacher is not formally evaluated.

The Board may evaluate each teacher who received a rating of Skilled on the teacher's most recent evaluation once every two (2) years. The teacher and the evaluator will jointly develop a professional growth plan for the teacher and the evaluator will determine if the teacher is making progress on the plan. The professional growth plan will focus on the most recent evaluation and observations of the teacher. Teachers will be provided with at least one (1) formal observation and post-conference in any year that such teacher is not formally evaluated.

Evaluations will be completed by May 1st and each teacher will be provided a written report of the results of his/her evaluation by May 10th. Written notice of nonrenewal will be provided by June 1st.

In evaluating teacher performance, the Board shall utilize the measures set forth by the Ohio Department of Education's OTES "Teacher Performance Evaluation Rubric" for instructional planning, instruction and assessment, and professionalism.

Formal Observation Procedure

All formal observations shall be preceded by a conference between the evaluator and the employee prior to the observation in order for the employee to explain plans and objectives for the classroom situation to be observed.

A post-observation conference shall be held after each formal observation.

Informal Observation/Classroom Walkthrough Procedure

A walkthrough is an informal observation in which an evaluator may assess one or more areas in the Teacher Performance Evaluation Rubric.

Evaluators may but are not limited to collecting evidence in any identified focus area(s). Walkthroughs may be announced or unannounced. The walkthrough should be of sufficient duration to allow the evaluator to assess the focus of the walkthrough.

A walkthrough shall consist of at least 5 (five) consecutive minutes, but not more than thirty (30) consecutive minutes in duration. The walkthrough should be of sufficient duration to allow the evaluator to assess the focus of the walkthrough.

Data gathered from the walkthrough will inform the final evaluation.

Feedback from a walkthrough shall be provided after the walkthrough. The teacher and/or administrator may request a face to face meeting to discuss observations relative to the identified focus of the walkthrough.

Classroom walkthroughs shall not unreasonably disrupt and/or interrupt the learning environment.

Use of High-Quality Student Data

At least two measures of high-quality student data will be used as evidence of student learning. The teacher will select student data that will be used in consultation with the evaluator, and will provide evidence that demonstrates the teacher has used the data in accordance with this policy. The evaluator may use the data as evidence to determine a performance rating in any component of the evaluation where applicable.

When applicable to the grade level or subject area(s) taught by a teacher, high-quality student data will include the value-added progress dimension. High-quality student data will meet the following criteria:

- A. aligns to learning standards
- B. measures what is intended to be measured
- C. is directly attributable to the teacher being evaluated for course(s) and grade level(s) taught
- D. demonstrates evidence of student learning (achievement and/or growth)
- E. follows protocols for administration and scoring
- F. provides trustworthy results; and
- G. is fair and unbiased

Teachers must provide evidence to their evaluator which demonstrates that they have used high-quality student data in the following ways:

- A. critically analyze and reflect upon results to support improvement and enhancement of student learning
- B. assess student learning needs and styles, including the strengths and weaknesses of an entire class as well as individual students in each class
- C. inform and adapt instruction to meet student needs; and

D. measure student learning achievement and growth, as well as progress toward achieving state and local standards.

In addition to value-added data, the Superintendent may select high-quality data from among state-approved vendor assessments or other locally determined measures or instruments that meet the definition and criteria outlined above.

Annually, the Superintendent shall develop a list of approved high-quality student data in consultation with experts in the field of education and with the District's Evaluation Development Committee.

For the purpose of selecting high-quality student data, the Board defines the term "expert" to include members of the District's administrative team, credentialed evaluators, as well as:

- A. employees or consultants hired by the educational service center, or another private or public entity to provide expertise on student growth and learning; and
- B. faculty from a post-secondary institution who have a degree in education or a related field.

Final Evaluation Procedures

Evaluators will consider evidence gathered during the evaluation cycle to assign a final holistic evaluation rating, based upon the criteria developed by the Ohio Department of Education.

The evaluator shall submit the final written evaluation using the reporting system prescribed by the Ohio Department of Education (ODE). The teacher will confirm receipt of the same.

Retention and Promotion Decisions/Removal of Poorly Performing Teachers

It is the purpose of this Standards-Based Teacher Evaluation Policy to improve the quality of instruction, enhance student learning, and strengthen professional competence through meaningful feedback and targeted professional development. In addition, the evaluations produced will serve to inform the Board on employment decisions, i.e., retention, promotion of teachers, renewal of teaching contracts, and the removal/nonrenewal of poorly performing teachers.

Definitions:

"Retention" - for purposes of this policy refers to employment decisions on the question of whether or not to suspend a contract pursuant to a reduction in force, nonrenew a limited or extended limited contract, or terminate employment for good and just cause. In the case of a reduction in force, seniority will not be considered when making decisions on contract suspensions, except in the instance of comparable evaluations. The decision to nonrenew or terminate the contract of a poorly performing teacher may be informed by the evaluation(s) conducted under this policy. However, decisions to nonrenew or terminate a teaching contract are not limited by the existence of this policy.

"Promotion" - as used in this context is of limited utility given the fact that teachers covered by this policy are not currently employed in any discernible hierarchy. Nevertheless, when making decisions relative to such matters as determining department or grade level chairpersons, selections to curricular or strategic planning bodies, or teaching assignments, the Board will consider teacher performance as indicated by evaluations.

"Poorly Performing Teachers" - refers to teachers identified through the evaluation process set forth in this policy and the collective bargaining agreement (CBA) who demonstrate an inability and/or unwillingness to meet the reasonable expectations of this standards-based evaluation system.

"Comparable Evaluations" - seniority may not be the basis for teacher retention or other employment decisions, except when deciding between teachers who have comparable evaluations, as defined in the collective bargaining agreement (CBA).

Removal of Poorly Performing Teachers

Removal of poorly performing teachers will be in accordance with the nonrenewal and termination statutes of the Ohio Revised Code and/or the relevant provisions of the collective bargaining agreement in effect between the Board and the South-Western Education Association.

Nothing in this policy will be deemed to prevent the Board from exercising its rights to nonrenew, terminate, or suspend a teaching contract as provided by law and the terms of the collective bargaining agreement in effect between it and the South-Western Education Association. The evaluation system and procedures set forth in this policy shall not create an expectation of continued employment for teachers on a limited contract that are evaluated under this policy. The Board reserves the right to nonrenew a teacher evaluated under this policy in accordance with R.C. 3319.11 notwithstanding the teacher's holistic rating.

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~~3220—STAFF EVALUATION~~

~~The Board of Education through the powers derived from the Ohio Revised Code, is responsible for the employment and discharge of all personnel. To assist in the facilitation of this responsibility, a standards-based teacher evaluation program which conforms to the framework for evaluation of teachers as approved by the State Board of Education shall be implemented as set forth herein.~~

~~This policy has been developed in consultation with teachers employed by the Board.~~

~~Implementation of this policy shall be in accordance with Ohio Revised Code, Ohio Administrative Code and the SWEA Negotiated Agreement.~~

~~Each teacher will be evaluated using factors from the following categories (as weighted):~~

~~1. Student Growth Measures (50%).~~

~~For the purpose of this policy, "student growth" means the change in student achievement for an individual student between two or more points in time.~~

~~This component of the evaluation includes, where available, one or more of the following: 1) Teacher-level Value-Added Data (or alternative student academic progress measures if adopted by ODE); 2) ODE-approved Assessments; and/or 3) Locally-determined Measures; in accordance with state law and State Board of Education requirements.~~

~~In calculating student academic growth for an evaluation, certain students shall be excluded pursuant to state law and regulation.~~

~~2. Teacher Performance (50%).~~

~~The teacher performance measure is based on the Ohio Standards for the Teaching Profession. The Superintendent/designee selects/develops evaluation tools to calculate teacher performance in consultation with teachers. The Board directs the Superintendent/designee to develop procedures for these evaluation tools.~~

~~Each evaluation will consist of at least two (2) formal observations of the teacher at least thirty (30) minutes each in duration, as well as classroom walkthroughs, except as otherwise provided by statute and this policy.~~

~~Each teacher shall be evaluated at least once each school year, except as otherwise provided by statute and this policy. The evaluation will be completed no later than May 1st and each teacher will be provided a written report of the results of his/her evaluation no later than May 10th.~~

~~Each teacher will be assigned an effectiveness rating in accordance with the State Board of Education framework at the conclusion of the evaluation process.~~

~~Observations of Limited/Extended Limited Contract Teacher Under Consideration for Non-Renewal~~

~~Each teacher on a limited contract or extended limited contract who is under consideration for nonrenewal shall have at least three (3) formal observations.~~

~~"Accomplished" Rated Teacher — Option for Biennial Evaluation~~

~~The Board may elect, by adoption of a resolution, to evaluate each teacher who received a rating of accomplished on the teacher's most recent evaluation, conducted in accordance with this policy, once every two school years. In that case, the biennial evaluation shall be completed by the first day of May of the applicable school year, and the teacher shall receive a written report of the results of the evaluation by the tenth day of May of that school year.~~

~~Retention and Promotion Decisions~~

~~The Board shall use the evaluation results to make retention and promotion decisions.~~

~~Seniority shall not be the basis for a decision to retain a teacher, except when making a decision between teachers who have comparable evaluations.~~

Removal of Poorly Performing Teachers

~~The Board shall use the evaluation results in making decisions to remove poorly performing teachers.~~

Professional Development

~~Teachers shall develop professional growth plans and/or improvement plans in accordance with the standards-based statewide teacher evaluation framework adopted by the State Board of Education.~~

~~The Board will provide professional development and growth opportunities in accordance with state law and regulations.~~

~~The Board will provide for the allocation of financial resources to support professional development to the extent required by state law and the State Board of Education evaluation framework.~~

Testing of Ineffective Teachers:

~~Effective with the 2015-2016 school year, each teacher in a core subject area who has received a rating of "ineffective" on the evaluations conducted under law and this policy for two of the three most recent school years must register for and take all written examinations as required by state law and regulations.~~

~~This policy does not apply to the Superintendent, administrators, teacher supplemental contracts, or teachers employed as substitutes or adult education instructors or to any person employed under a teacher license/certificate that spends less than fifty percent (50%) providing student instruction.~~

CONTRACT REF.:

South-Western Education Association (SWEA) Collective Bargaining ~~Negotiated~~ Agreement (CBA).

Adopted
October 9, 1989

Last Revised
June 10, 2013

**BOARD OF EDUCATION
SOUTH-WESTERN CITY SCHOOL DISTRICT**

PROFESSIONAL STAFF
3223/page 1 of 9

NEW POLICY - VOL. 35, NO. 1

STANDARDS - BASED SCHOOL COUNSELOR EVALUATION

The Board of Education is responsible for a standards-based school counselor evaluation policy which conforms to the framework for the evaluation of school counselors as approved by the State Board of Education and aligns with the "Standards for School Counselors" as set forth in State law.

The Board of Education adopts the Ohio School Counselor Evaluation System (OSCES) as approved by the State Board of Education.

The Board believes school counselors play a critical role in supporting student learning and success and maintaining a positive school environment. The standards based system of school counselor evaluations is designed to provide meaningful and consistent feedback to support counselor professional growth and inform employment decisions.

This policy shall be implemented as set forth herein and shall be included in the collective bargaining agreement with the South-Western Education Association, and in all extensions and renewals thereof.

This policy has been developed in consultation with school counselors.

The Board authorizes the Superintendent/Designee to establish and maintain an ongoing Evaluation Development Committee, with continuing participation by District counselors for the express purpose of recommending necessary changes to the Board for the appropriate revision of the policy.

Definitions

"OSCES" - Stands for the Ohio School Counselor Evaluation System as adopted by the Ohio State Board of Education, or as otherwise modified by the State Board of Education.

"School Counselor"– For purposes of this policy, "school counselor" means an employee who holds a license issued pursuant to O.A.C. 3301-24-05 by the Ohio Department of Education in the area of school counseling and who is assigned to a position in that capacity.

Teachers and other employees who do not meet this definition are not subject to evaluation under this policy. Full time bargaining unit members who do not meet the definition will be evaluated in accordance with Board policy and/or utilizing the evaluation procedures of the collective bargaining agreement in effect between the Board and the South-Western Education Association.

"Credentialed Evaluator"- For purposes of this policy, each counselor subject to evaluation will be evaluated by a person who has completed the OSCES training as required by the Ohio Department of Education.

The Board shall authorize the Superintendent/Designee to approve and maintain a list of credentialed evaluators as necessary to effectively implement this policy.

"Evaluation Cycle" – is the period of time for the completion of the evaluation procedure. The evaluation cycle is completed when selected student metrics are combined with the counselor performance ratings resulting from performance assessments on the standards that are conducted for the current school year to assign a summative evaluation rating.

"Evaluation Factors"– refers to the multiple measures that are required by law to be used in the school counselor evaluation procedures, including performance on all six (6) areas identified by the standards and the ability to produce positive outcomes using student metrics. School counselors will receive a score in each of the six standards and the student metrics, which shall be weighted equally (1/7 of the final summative score).

"Evaluation Framework" – means the standards-based framework adopted by the State Board of Education for the evaluation of school counselors in accordance with R.C. 3319.113.

"Evaluation Instruments" – refers to the forms used by the school counselor's evaluator as developed locally.

"Evaluation Procedure" – the procedural requirements set forth in this policy are intended to provide specificity to the statutory obligations established under R.C. 3319.113 and to conform to the framework for the evaluation of school counselors developed under R.C. 3319.113.

"Evaluation Rating" – means the final summative evaluation level that is assigned to a school counselor pursuant to terms of this policy. The evaluation rating is assigned at the conclusion of the evaluation cycle when the school counselor performance rating is combined with the results of student metrics. Each completed evaluation will result in the assignment of one (1) of the following evaluation ratings to Accomplished, Skilled, Developing, or Ineffective.

"High Performing School Counselor" - is a school counselor who earns a summative rating of "Accomplished" or "Skilled" on his/her most recent evaluations.

"School Counselor Performance" – is the assessment of a school counselor's performance on each of the six State-adopted standards, resulting in a performance rating. As an evaluation factor, the school counselor performance dimension is based on direct observations of a counselor's practice by a credentialed evaluator. Performance results are reported as a performance rating that may be coded as "1" indicating lowest performance to "4" indicating highest performance.

"Student Metrics" - measure(s) that assess a school counselor's ability to produce positive student outcomes.

Standards-Based School Counselor Evaluation

School Counselor evaluations will utilize multiple factors, with the intent of providing meaningful feedback to each school counselor and assigning an effectiveness rating based upon school counselor performance and the counselor's assessment on selected student metrics.

- A. Accomplished;
- B. Skilled;
- C. Developing; or
- D. Ineffective.

The specific standards and criteria for distinguishing between these ratings/levels of performance shall be the same as those developed by the State Board of Education, which are incorporated herein by reference.

The Superintendent/Designee shall annually cause to be filed a report to the Ohio Department of Education (ODE) in accordance with requirements mandated by ODE. The Board will utilize the ODE's guidelines for reporting this information.

Assessment of School Counselor Performance

School Counselor performance will be evaluated during formal observations and periodic informal observations. Such performance will be assessed through a holistic process by trained and credentialed evaluators based upon the following *Ohio Standards for School Counselors*:

- A. Comprehensive School Counseling Program Plan;
- B. Direct Services for Academic, Career and Social/Emotional Development;
- C. Indirect Services: Partnerships and Referrals;
- D. Evaluation and Data;
- E. Leadership and Advocacy; and
- F. Professional Responsibility, Knowledge and Growth.

Formal and Informal Observations

- A. School Counselors shall be evaluated based on at least two (2) formal observations of at least thirty (30) minutes each and informal observations each school year.
- B. A high performing school counselor will be evaluated less frequently as follows.
 - 1. A school counselor who receives a rating of "Accomplished" on his/her most recent evaluation may be evaluated every three (3) years, as long as the counselor's metrics for student outcomes for the most recent year for which data is available, is "skilled" or higher. If the determination is made to evaluate every three (3) years, the counselor will nevertheless be provided with at least one (1) observation and conference in any year that such counselor is not formally evaluated.
 - 2. A school counselor who receives a rating of "Skilled" on his/her most recent evaluation may be evaluated every other year, as long as the counselor's metrics for student outcomes for the most recent year for which data is available, is "skilled" or higher. If the determination is made to evaluate every other year, the counselor will nevertheless be provided with at least one (1) observation and conference in any year that such counselor is not formally evaluated.

Evaluations will be completed by May 1st and each school counselor will be provided a written report of the results of his/her evaluation by May 10th. Written notice of nonrenewal will be provided by June 1st.

Formal Observation Procedure

The observations will not be conducted when school counselors are engaged in counseling activities with students that require confidentiality.

All formal observations shall be preceded by a conference between the evaluator and the employee prior to the observation in order for the employee to explain plans and objectives for the classroom situation to be observed.

Informal Observation/Walkthrough Procedure

The observations will not be conducted when school counselors are engaged in counseling activities with students that require confidentiality.

An informal observation is a formative assessment process that focuses on one (1) or more of the components included in the State-adopted standards.

An informal observation should be of sufficient duration to allow the evaluator to assess the focus of the observation.

Data gathered from the observation must be placed on the appropriate designated form. Written feedback from observations shall be provided after the observation. The school counselor and/or evaluator may request a face to face meeting to discuss observations relative to the identified focus of the informal observation.

- A. Informal observations shall not unreasonably disrupt and/or interrupt the work day.
- B. A final debriefing and completed form must be shared with the employee within a reasonable amount of time.

Assessment of Student Metrics

The counselor and evaluator will select student metrics that will be utilized for school counselor evaluations in the areas of academics, career, and social emotional development.

Data from these approved measures of student growth will be scored on four (4) levels, with a score of "1" being the lowest and "4" being the highest.

Final Evaluation Procedures

Each school counselor's performance rating for each of the six (6) standards will be combined with the assessment of student metrics to produce the final summative.

The evaluator shall provide that each evaluation is submitted to the school counselor for his/her acknowledgement by written receipt. If signed by the employee, the receipt is to be sent to the Superintendent/Designee as soon as received.

Professional Growth Plans and Professional Improvement Plans

Based upon the results of the annual evaluations conducted in accordance with this policy, each school counselor must develop either a professional growth plan or professional improvement plan as follows:

- A. School counselors with a final summative rating of "Accomplished" will develop a professional growth plan.
- B. School counselors with a final summative rating of "Skilled" will develop a professional growth plan collaboratively with their evaluator.
- C. School counselors with a final summative rating of "Developing" will develop a professional growth plan collaboratively with their evaluator. A building administrator must approve the professional growth plan.
- D. School counselors with a final summative rating of "Ineffective" will develop an improvement plan with their evaluator. A building administrator must approve the improvement plan.

Professional growth and improvement plans must be completed by October 31st each school year. The Board retains the discretion to place a school counselor on an improvement plan at any time based on deficiencies in any individual component of the evaluation system.

Board Professional Development Plan

In accordance with the State Board of Education's Statewide evaluation framework, the Board has adopted a specific plan for the allocation of financial resources to support the professional development of school counselors covered by this policy. The plan will be reviewed annually.

Retention and Promotion Decisions/Removal of Poorly Performing School counselors

The evaluations produced will serve to inform the Board on employment decisions, i.e., retention, promotion of school counselors, renewal of employment contracts, and the removal/nonrenewal of poorly performing school counselors.

Definitions:

"Retention"- for purposes of this policy refers to employment decisions on the question of whether or not to suspend a contract pursuant to a reduction in force, nonrenew a limited or extended limited contract, or terminate employment for good and just cause. In the case of a reduction in force, seniority will not be considered when making decision on contract suspensions, except in the instance of comparable evaluations. The decision to nonrenew or terminate the contract of a poorly performing school counselor may be informed by the evaluation(s) conducted under this policy. However, decisions to nonrenew or terminate an employment contract are not limited by the existence of this policy.

"Promotion"- as used in this context is of limited utility given the fact that school counselors covered by this policy are not currently employed in any discernible hierarchy. Nevertheless, when making decisions relative to such matters as determining employee assignments, the Board will consider school counselor performance as indicated by evaluations.

"Poorly Performing School Counselors"- refers to school counselors identified through the evaluation process set forth in this policy who demonstrate an inability and/or unwillingness to meet the reasonable expectations of this standards-based evaluation system.

"Comparable Evaluations"- since seniority may not be the basis for school counselor retention or other employment decisions, except when deciding between counselors who have comparable evaluations, this refers to counselors within the categories of "Ineffective," "Developing," "Skilled," and "Accomplished."

Removal of Poorly Performing School Counselors

Removal of poorly performing school counselors will be in accordance with the nonrenewal and termination statutes of the Ohio Revised Code and/or the relevant provisions of the collective bargaining agreement in effect between the Board and the South-Western Education Association.

Nothing in this policy will be deemed to prevent the Board from exercising its rights to nonrenew, terminate, or suspend a school counselor contract as provided by law and the terms of the collective bargaining agreement in effect between it and the South-Western Education Association. The evaluation system and procedures set forth in this policy shall not create an expectation of continued employment for employees on a limited contract that are evaluated under this policy. The Board reserves the right to nonrenew a school counselor evaluated under this policy in accordance with R.C. 3319.11 notwithstanding the school counselor's final summative rating.

R.C. 3319.02, 3319.11, 3319.113, R.C. 3319.16
A.C. 3301-24-05
H.B. 64



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - ANTI-HARASSMENT
Code	po3362
Status	Policy Committee
Legal	R.C. 4112.02 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) 20 U.S.C. 1681 et seq. 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967 29 U.S.C. 794, Rehabilitation Act of 1973, as amended 29 C.F.R. Part 1635 29 U.S.C. 6101, The Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq. 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 1983 National School Boards Association Inquiry and Analysis – May 2008
Adopted	February 14, 2000
Last Revised	May 7, 2018

3362 - **ANTI-HARASSMENT**

General Policy Statement

All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment, including sexual harassment. This policy applies to unlawful conduct occurring during District operations, programs, and activities on school property , or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. Any conduct prohibited by this Policy constitutes "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations. The Board will investigate all allegations of harassment and

in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- J. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in Ohio Revised Code 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School District community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School District community or third parties who believe they have been unlawfully harassed by another member of the School District community or a third party are entitled to utilize the Board's complaint process that is set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Harassment, Intimidation, and Bullying, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the Anti-Harassment Compliance Officer who shall investigate the allegation in accordance with Policy 1662.01 Compliance Officer Investigations. For purposes of this Policy, a single act may be sufficiently severe, persistent or pervasive to create an intimidating, hostile, or offensive learning environment, even if it would not constitute a violation under Policy 5517.01. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy [3362](#) investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates ~~the following individual~~ **an administrator** to serve as "Anti-Harassment Compliance Officer" ("Compliance Officer") for the District.

~~Amber Hufford~~
~~Coordinator of Student Services~~
~~614-801-3000~~
~~3805 Marlane Drive~~
~~Grove City, OH 43123~~
~~amber.hufford@swcsd.us~~

The name, title, and contact information of this individual will be published annually on the School District's web site **at <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>**.

Investigation and Complaint Procedure (See Form 3362 F1)

Complaints of Prohibited Conduct and investigations thereof will be conducted under the requirements of Policy 1662.01 - Compliance Officer Investigations.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent/Designee shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Revised 8/04

Revised 8/11/08

Revised 3/8/10

Revised 8/9/10

T.C. 1/22/16

Revised 1/13/14

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - CONFLICT OF INTEREST
Code	po4113
Status	Policy Committee
Legal	R.C. Chapter 102, 2921.42, 2921.43 Ohio Ethics Commission Advisory Opinions No. 92-014 and 2001-03 2 C.F.R. 200.112, 200.113, 200.318
Adopted	October 8, 1990
Last Revised	March 13, 2017

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

4113 - CONFLICT OF INTEREST

A. The proper performance of school business is dependent upon the maintenance of unquestionably high standards of honesty, integrity, impartiality, and professional conduct by **the** Board of Education's members, and the District's employees, officers, and agents. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence in the School District. For these reasons, the Board adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all District employees, officers, and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees, **officers, agents, and Board members**~~officers and agents~~.

1. No employee, **officer, agents, or Board member**~~officer or agent~~ shall engage in or have a financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities in the school system.
2. Employees, **officers, agents, and Board members**~~officers and agents~~ shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the ~~School~~ District.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's, **officer's, agent's, or Board member's**~~officer's or agent's~~ employment or professional relationship with the District through **the employee's, officer's, agent's, or Board member's** access to ~~School~~ District records
- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration

for such referrals

- d. the requirement of students or clients to purchase any private goods or services provided by an employee, **officer, agent, or Board member** ~~officer or agent~~ or any business or professional practitioner with whom any employee, **officer, agent, or Board member** ~~officer or agent~~ has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
3. Employees, **officers, agents, and Board members** ~~officers and agents~~ shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Exceptions to Part A of this policy shall be approved by the Superintendent **before** entering into any private relationship.
- C. **No employee, officer, agent, or Board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.** ~~Employees, officers and agents can not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.~~
- An employee, officer, agent, and Board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors.** ~~Employees, officers and agents can not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.~~
- D. ~~If to the extent that~~ the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the ~~School~~ District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the ~~School~~ District is unable, or appears to be unable, to be impartial **in conducting a procurement action involving a related organization.**
- E. Employees, **officers, agents, and Board members** ~~officers and agents~~ must **promptly** disclose any potential conflict of interest which may lead to a violation of this policy to the ~~School~~ District. Upon discovery of any potential conflict of interest, the ~~School~~ District will **promptly** disclose, in writing, the potential conflict of interest to the appropriate Federal ~~awarding~~ agency or, if applicable, the pass-through entity.
- The District will also **promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729–3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity. The District is also required to report matters related to recipient integrity and performance in accordance with Appendix XII of 2 C.F.R. Part 200** ~~disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass through entity.~~
- F. Employees, **officers, agents, and Board members** ~~officers and agents~~ found to be in violation of this conflict of interest policy will be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy **and may also face criminal charges and/or risk loss of State-issued licenses/permits.**



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES
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Adopted	April 13, 2009
Last Revised	January 4, 2021

Revised Policy - Vol. 43, No. 1

4120.08 - EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES

The Board of Education may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees may be members of the District's classified staff, support staff, or individuals from the community or nearby areas.

The Board authorizes the Superintendent to recommend candidates for employment by the Board.

Each coach or activity sponsor shall hold a valid Pupil Activity Program Permit issued by the State Board of Education under R.C. 3319.303(A), have any other necessary qualifications, have been properly interviewed, and shall sign an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures. Such qualifications shall include completion of a sudden cardiac arrest training course approved by the Department of Health, in accordance with R.C. 3319.303. The qualifications shall also include completion of a student mental health training course approved by the Department of Mental Health and Addiction Services. The mental health training course may be combined with or part of another training course. Such training must be completed each time the individual applies for or renews a Pupil Activity Program Permit. An employee must submit a copy of an active Pupil Activity Program Permit to both the Treasurer/CFO and the Superintendent before the Board will pay any compensation.

No staff member employed in a position for which licensure or permit is required may be paid until evidence of such appropriate licensure or permit valid for the effective dates of such services has been received by the Superintendent and transmitted to the Treasurer.

X] The Board will not allow any prospective coach or activity sponsor to engage in supervision and/or coaching activities until such time that a valid Pupil Activity Permit for that individual is filed with the District.

Personnel must also pass a background check performed by the Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation **and be enrolled in the State's Rapback System as required by State law** (see Policy 4121).

The Board may renew the contract of any nonlicensed individual, currently employed by the Board for one (1) or more years, without first offering the position held by that individual to employees of the District who are licensed individuals or advertising the position as available to any qualified licensed individuals who are not currently employed by the Board unless otherwise prohibited by a collective bargaining agreement.

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - CRIMINAL HISTORY RECORD CHECK
Code	po4121
Status	Policy Committee
Legal	R.C. 109.57, 109.572, 2950, 2953.32, 3319.39, 3301.541, 3319.291, 3319.31 R.C. 3319.311, 3319.391, 3319.392, 3319.40, 3327.10 A.C. 3301-83-06 (B)(10), 3301-83-06 (F)(2), 3301-83-06 (F)(5) A.C. 3301-83-10 (F), 3301-20-01, 3301-83-23, 4501-1-05
Adopted	April 18, 1994
Last Revised	March 11, 2019

Revised Policy - Vol. 43, No. 1

4121 - CRIMINAL HISTORY RECORD CHECK

In accordance with State law, the Board of Education requires a criminal background check including information from the Bureau of Criminal Identification and Investigation (BCII) and the Federal Bureau of Investigation (FBI) of each applicant the Superintendent recommends for employment on the District's non-teaching staff as well as for all current non-teaching employees on a periodic basis. These requirements apply to any non-teaching employee, including individuals employed by a private company under contract with the Board to provide essential school services in accordance with Policy 8142, and all substitutes and persons employed on a part-time basis such as coaches or activity supervisors.

Specific rules relating to employees engaged in the operation of a vehicle for student transportation (bus/van drivers) and non-teaching employees who are also licensed by the Ohio Department of Education (e.g. aides with a permit, paraprofessionals with a license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a student activity permit) shall be implemented as prescribed by law and applicable administrative code.

A criminal background check is not required of any currently-employed staff member who is a candidate for another position in the District, unless otherwise required by law and/or this policy.

[X] The Board authorizes the Educational Service Center to undertake the criminal history check for individuals the Board may employ.

The Superintendent shall establish administrative guidelines that require an appropriate records check that complies with the law.

Any information and records obtained from such inquiries are not public records and shall be kept confidential and not released or disseminated.

Should it be necessary to employ a person to maintain continuity of the District's operations, prior to receipt of the criminal history record, the Superintendent may, except in the case of a bus driver, employ the person on a provisional basis until the report is received.

Enrollment in the State Rapback System

The Board will ensure that all employees and contractors whose work duties involve routine interaction with a child or who are regularly responsible for the care, custody, or control of a child are enrolled in the State Rapback System. Licensed employees are enrolled in Rapback by the State Board of Education's Office of Professional Conduct upon approval of their license. School bus and van drivers, and all other unlicensed employees and contractors who do not have a license or permit issued by the State Board of Education, are expected to complete the necessary steps to enroll in Rapback through the State Board as required by law. Employees and contractors may need to complete a new BCI background check at their expense upon initial enrollment in Rapback. Enrollment in Rapback is considered a mandatory condition of employment and is not optional.

Effect of Guilty Plea and/or Conviction of Enumerated Crimes - All Non-Teaching Employees

Non-teaching employees who are also licensed by the Ohio Department of Education (e.g., aides with a permit, paraprofessionals with a license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a student activity permit) who engage in conduct unbecoming the teaching profession and/or who it is determined **to** have pled guilty to or have been convicted of any offense enumerated under R.C. 3319.39(B)(1), including a judicial finding for intervention in lieu of conviction and/or participation in a pre-trial diversion program relating to any of the offenses listed therein, are subject to the mandatory reporting requirements set forth in Policy 8141, in addition to an action by the Board to terminate their employment. In addition, consistent with State law and Policy 4138, the Superintendent shall immediately suspend such licensed non-teaching employees from all duties that require the care, custody, or control of a child during any pending criminal action for which that licensed, non-teaching staff member has been arrested, summoned and/or indicted for any crimes set forth in R.C. 3319.31(C).

[**X**] A comprehensive list of crimes which must result in a suspension are set forth in AG 4121.

All other non-teaching employees who are the subject of a criminal records check including applicants hired provisionally in advance of a completed criminal records check, as well as student transportation employees (bus/van drivers, preschool and special needs bus aides), and/or individuals employed by a private company under contract with the Board to provide essential school services in accordance with Policy 8142, who it is determined **to** have pled guilty to or been convicted of any offense enumerated under R.C. 3319.39(B)(1), including a judicial finding for intervention in lieu of conviction and/or participation in a pre-trial diversion program relating to any of the offenses listed therein, shall not be hired or shall be released from employment, as applicable, unless such individual meets the rehabilitation standards adopted by the Ohio Department of Education under division (E) of that section at the time of the hiring and/or upon discovery of such plea or conviction by the Board.

In the case of employees hired by the Board to operate a vehicle used for student transportation (i.e., bus/van drivers), a guilty plea or conviction of a crime to any offense listed in R.C. 3319.31(C) or A.C. 3301-83-23(A)(6)(c) will serve as a bar to further employment with the Board and the rehabilitation standards will not apply.

Suspension From Duties Involving Care, Custody or Control of a Child for Arrest, Summons and/or Indictment for Certain Crimes

In accordance with State law and Policy 4138, the Superintendent (or Treasurer in the case of an employee whose duties are assigned by the Treasurer) shall immediately suspend any non-licensed, non-teaching employee from all duties that require the care, custody, or control of a child during any pending criminal action for which that staff member has been arrested, summoned and/or indicted for any crimes listed under R.C. 3319.39(B)(1).

[**X**] A comprehensive list of the crimes which must result in a suspension of such non-licensed employees ~~is~~ are set forth in AG 4121.

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po4122
Status	Policy Committee
Legal	R.C. 4112.01, 4112.02 A.C. 3301-35-03(A) Fourteenth Amendment, U.S. Constitution 20 U.S.C. Section 1681, Title IX of Education Amendment Act 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended 34 C.F.R. Part 110 (7/27/93) 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C., 2000e, et seq., Civil Rights Act of 1964 29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended 29 C.F.R. Part 1635
Adopted	October 8, 1990
Last Revised	May 7, 2018

4122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, military status, ancestry, genetic information (collectively, "Protected Classes"), or any other legally protected category, in its programs and activities, including employment opportunities.

District Compliance Officers

The Board designates ~~the following individual~~ **an administrator** to serve as the District's "Compliance Officer" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "CO").

Name/Title: ~~Amber Hufford, Student Services Coordinator~~

Address: ~~3805 Marlane Drive~~
~~Grove City, OH 43123~~

Phone: 614-801-3000

The name, title, and contact information of this individual will be published annually on the School District's Web site at <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>

The CO is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The CO shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level employee or official who receives such a complaint shall file it with the CO at his/her first convenience. Acts of unlawful discrimination and/or retaliation under this Policy are "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

Investigation and Complaint Procedure (See Form 4122 F2)

Complaints of Prohibited Conduct and Investigations thereof will be conducted under the requirements of Policy 1662.01 - Compliance Officer Investigations.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Revised 8/11/08

Revised 3/14/11

Revised 2/11/13

Revised 7/14/14

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po4123
Status	Policy Committee
Legal	29 C.F.R. Part 1630 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended 34 C.F.R. Part 104 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
Adopted	March 12, 2012
Last Revised	May 7, 2018

4123 - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of Education prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other

implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

District Compliance Officer

The Board designates ~~the following individual~~ **an administrator** to serve as District Section 504 Compliance Officer/ADA Coordinator ("Compliance Officer"):

Amber Hufford
Coordinator of Student Services
614-801-3000
3805 Marlane Drive
Grove City, Ohio 43123
Amber.hufford@swcsd.us

The name, title, and contact information of this individual will be published annually on the School District's Web site **at <https://www.swcsd.us/Section504.aspx>**.

The Compliance Officer is responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Compliance Officer.

The Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

Training

The Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the District's Compliance Officer(s) will be posted throughout the District, and published in the District's recruitment statements or general information publications.

Complaint Procedures

Any conduct prohibited by this Policy constitutes "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations. A single act of Prohibited Conduct may be sufficiently severe, pervasive or persistent to create an intimidating, hostile, or offensive working and/or learning environment. If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the complaint procedures set forth in Policy 1662.01 Compliance Officer Investigations as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

The District's Compliance Officer is available to assist individuals in filing a complaint.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Revised 7/14/14

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South-Western City School District
Bylaws & Policies

**~~4162.01 - DRUG AND ALCOHOL TESTING FOR SOUTH-WESTERN CITY
SCHOOL EMPLOYEES~~**

~~School bus drivers, other employees, and applicants for employment who (1) as a condition of employment are required to obtain a commercial driver's license (hereinafter referred to as "drivers") or (2) as part of their employment duties, regardless of whether they are required to hold a commercial driver's license, drive School District vehicles and who are listed below (hereinafter referred to as "drivers") are subject to a drug and alcohol testing program that fulfills the requirements of the Omnibus Transportation Employee Testing Act of 1991, its attendant regulations, Board of Education policy EEAGD and these regulations. All drivers in South-Western City School District who are included in 1 and 2 above are identified in the following list.~~

-	Superintendent	Custodial Supervisor
-	-	-
-	Small Equipment Repair	Bus Drivers
-	-	-
-	Computer Repairs	Mechanics
-	-	-
-	Pony Driver	Fuelers
-	-	-
-	Custodial Supplies	Transportation Supervisors
-	-	-
-	All Maintenance-I	Drivers
-	-	-
-	Specialists/Foremen	Maintenance Supervisors
-	-	-
-	Food Transporters and Supervisor	-
-	-	-
-	Primary Head Start/Even Start Van	-

~~Required provisions of the Omnibus Transportation Employee Testing Act of 1991 and its attendant regulations (hereinafter collectively referred to as "the Testing Act"), as well as other required provisions of applicable Federal and State law and regulations apply to the drug and alcohol testing of drivers regardless of whether such provisions are included in these Regulations.~~

~~References to tests in these regulations include both drug and alcohol tests unless the context specifies otherwise.~~

~~The terms drugs and controlled substances are interchangeable and have the same meaning. That is, "drugs" and "controlled substances" mean any drug subject to Federal and/or State regulations as to manufacture, distribution, sale and use, including, but not limited to, marijuana, cocaine, opiates (including heroin), phencyclidine (PCP), and amphetamines.~~

~~The term "alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol, and as is otherwise defined in 49 C.F.R. 382.107 (see appendix). References to the use or possession of alcohol include use or possession of any beverage, mixture, or preparation, including medication or any over-the-counter substances containing alcohol.~~

~~The term "safety-sensitive function" is as defined in 49 C.F.R. 382.107 (see appendix).~~

~~The term "substance abuse professional" is as defined in 49 C.F.R. 382.107 (see appendix).~~

Prohibited Conduct

~~Drivers are prohibited from the manufacture, distribution, dispensation, possession, use, or being under the influence of drugs and/or alcohol while engaged in work or while in the workplace. "Workplace" includes any school building, school property, school-owned vehicles or school approved vehicle used for school business or activities on or off school property during any school sponsored or school-related activity, event, or function. Use includes having concentrations of a drug or drugs in the driver's system that results in a positive drug test regardless of the time the drug was introduced into the driver's body.~~

~~The possession or use of any controlled substance is prohibited unless such substance has been prescribed by a licensed physician and the controlled substance has been used according to the prescription. A driver who is required to perform safety-sensitive functions may not report for duty requiring the performance of a safety-sensitive function when the individual uses any controlled substance unless the use is pursuant to the prescription and instructions of a physician who has advised the driver that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle. Drivers must inform their supervisor any and all times when they are using a controlled substance which their physician has prescribed for therapeutic purposes.~~

~~Alcohol misuse that affect the performance of drivers is prohibited including: (1) use of alcohol while on duty; (2) use during the four (4) hours before driving a vehicle or performing a safety-sensitive function; (3) having prohibited concentrations of alcohol in the driver's system regardless of the time the alcohol was ingested; and (4) use of alcohol during the eight (8) hour period immediately following any accident involving employment. In addition, no driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having a breath alcohol concentration of 0.02 or greater.~~

~~A driver is prohibited from performing safety-sensitive functions after a drug test result indicates a violation of prohibited conduct pursuant to these regulations.~~

~~A driver is prohibited from performing safety-sensitive functions after an alcohol test result indicating a violation of prohibited conduct pursuant to these Regulations including, but not limited to, indicating a 0.02 or greater breath alcohol concentration (BAC).~~

~~Drivers are prohibited from refusing to take a required drug or alcohol test and such refusal will be treated as if the driver had failed the drug test or had a result in an alcohol test of 0.02 or greater breath alcohol~~

~~concentration.~~

Testing for Drugs

~~Testing for drugs shall conform with the requirements of the Testing Act, including any requirements in addition to those stated herein. Testing results to be reported to the School District shall be at the level required to be reported by Federal law. The testing for drugs is a two (2) stage process that involves analyzing a driver's urine specimen. First, a screening test is performed. If it is positive for one (1) or more of the drugs tested, then a confirmation test is performed for each identified drug using gas chromatography/mass spectrometry (GC/MS) analysis. All urine specimens will be analyzed for marijuana, cocaine, opiates (including heroin), phencyclidine (PCP) and amphetamines (including methamphetamines) and/or as otherwise required by State and/or Federal law.~~

~~Drivers who are to be tested must report to the designated collection site to provide a urine specimen. The collection site will send the specimen bottles to an authorized lab for analysis. The chain-of-custody and collection requirements of the Testing Act are to be followed by the collection site and lab.~~

~~The urine sample provided by the driver is split into two (2) specimen bottles. If the lab analysis of one (1) specimen confirms the presence of controlled substances, the driver has seventy-two (72) hours to request that the second specimen bottle be sent to another certified lab for analysis, providing a second analysis and opinion. The driver is fully responsible for all costs related to the second analysis and opinion except that if the second analysis is negative the Board will pay for the cost of the second analysis.~~

~~If the first specimen reports a positive result, the driver is contacted by a Medical Review Officer involved in the lab analysis to determine if there is an alternative explanation for the positive result. If the Medical Review Officer determines that there is a legitimate medical use of the prohibited drug, the drug test result is reported as negative to the School District which is provided with the testing results. If the Medical Review Officer is unable to contact the driver directly, the Medical Review Officer will contact the driver's supervisor or Superintendent's designee. The supervisor or designee shall attempt to contact the driver to request that the driver contact the Medical Review Officer. The supervisor or designee should attempt to contact the driver as soon as practicable but prior to dispatching the driver or within twenty-four (24) hours from the time the Medical Review Officer contacted the supervisor or designee, whichever is earlier.~~

~~A blood test may also be used under certain limited circumstances as permitted to the Testing Act.~~

~~Random drug testing may be conducted at the School District bus garage or off school premises as determined by the School District. All other testing will be conducted off School District premises.~~

Testing for Alcohol

~~Testing for alcohol shall conform with the requirements of the Testing Act, including any requirements in addition to those stated herein. Testing for alcohol is generally by use of an evidential breath testing device (EFTD) that meets the requirements of the Testing Act. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a negative test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted. In the event that the screening and confirmation test results are not identical, the confirmation test result is deemed to be the final result upon which any action to comply with the Testing Act and these regulations shall be based.~~

~~Alcohol testing will be conducted by qualified persons contracted with by the School District to perform such testing.~~

~~A blood alcohol test may also be used under certain limited circumstances as permitted by the Testing Act.~~

~~Random alcohol testing may be conducted at the School District bus garage or off school premises as determined by the School District. All other testing will be conducted off School District premises.~~

~~Pre-employment/Pre-duty Tests~~

~~The tests will be required of an applicant for a position requiring a commercial driver's license or driving of school vehicles after the applicant has been offered the position but prior to employment. Employment with the District is conditional upon the applicant receiving a negative drug test result and an alcohol test result of less than 0.02 breath alcohol concentration, and otherwise meeting the requirements as specified herein and in the Testing Act.~~

~~Current employees of the School District who (1) apply for and are offered a position which, as a condition of employment, requires a commercial driver's license or requiring driving of School District vehicles and (2) do not, at the time of the offer of the position, hold a position in the School District for which a commercial driver's license is required as a condition of employment or for which driving of School District vehicles is required will be treated as applicants who must meet the pre-employment testing requirements of these regulations and the Testing Act to be employed in the position for which s/he applied.~~

~~Post-Accident Tests~~

~~As soon as practicable, but within two (2) hours after the time of accident, the School District shall test the driver for alcohol. As soon as practicable, but within thirty-two (32) hours after the time of the accident, the driver shall be tested for drugs. Such tests will be conducted on any driver after an accident that occurs during a driver's work hours and/or at any activity or function related to employment with South-Western City Schools when the driver:~~

- ~~- A. was performing safety-sensitive functions with respect to the vehicle and the accident involved loss of human life; or~~
- ~~- B. was performing safety-sensitive functions with respect to the vehicle and received a citation under State or local law for a moving traffic violation arising out of the accident.~~

~~No driver involved in such an accident may use alcohol for eight (8) hours after the accident or until after the driver undergoes a post-accident alcohol test, whichever occurs first.~~

~~If an alcohol test is not administered within two (2) hours or if a drug test is not administered within thirty-two (32) hours after the time of the accident, the District will, to the extent required by the Testing Act, prepare, maintain, and submit a report explaining why the test was not conducted within such time frame. No post-accident drug test shall be administered more than thirty-two (32) hours after the accident and no post-accident alcohol test shall be administered more than eight (8) hours after the accident.~~

~~The results of a breath or blood test for the use of alcohol or a urine or blood test for the use of drugs conducted by authorized Federal, State or local officials may fulfill post-accident testing requirements if the results are obtained by the School District and the testing meets the requirements of the Testing Act. It is in the sole discretion of the Superintendent or designee to determine whether to accept a test conducted by authorized Federal, State, or local officials to fulfill post-accident testing requirements.~~

~~Before any driver performs a safety-sensitive function, the District will provide him/her with post-accident procedures and instructions that will make it possible to comply with post-accident testing requirements. Any driver subject to post-accident testing who leaves the scene of an accident before a test is administered or fails to remain readily available for testing may be deemed by the School District to have refused to submit to the test.~~

~~Random Tests~~

~~Tests will be conducted on a random basis at unannounced times throughout the year. Random tests for alcohol and drugs will be conducted just before, during or just after the performance of safety-sensitive functions. Once notified of selection for drug testing, a driver must proceed immediately to a collection site to provide a urine specimen. Once notified of selection for alcohol testing, a driver must proceed immediately to the testing site.~~

~~Drivers will be selected by a scientifically valid random process, in which each driver will have an equal chance of being tested each time selections are made. The number of bus drivers selected for random testing will be in accordance with the Testing Act.~~

~~Reasonable Suspicion Tests~~

~~Tests must be conducted when a supervisor or administrator, who has been trained according to the requirements of the Testing Act, has reasonable suspicion to believe that the driver has violated the District's alcohol or drug prohibitions. This reasonable suspicion must be based on specific contemporaneous, articulable observations including, but not limited to, the driver's appearance, behavior, speech or body odors. The observations may include indications of chronic drug or alcohol use and/or withdrawal effects of controlled substances. Documentation of the grounds for reasonable suspicion must be made and signed by the supervisor/administrator within twenty-four (24) hours of the observed behavior or before the results of the test are released, whichever is earlier.~~

~~If an alcohol test is not administered within two (2) hours or a drug test is not administered within thirty-two (32) hours of a determination of reasonable suspicion, the District will prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests will terminate after eight (8) hours of a determination of reasonable suspicion. Any driver who does not permit such drug and/or alcohol testing or make himself/herself reasonably available for such testing is considered to have refused to take such tests.~~

~~If reasonable suspicion exists but a breath alcohol test or drug cannot be administered, the driver shall be removed from performing safety-sensitive duties for at least twenty-four (24) hours.~~

~~Records and Confidentially~~

~~Employee drug and alcohol test results and records shall be considered part of the employee's medical record and shall be confidential except for information and records relevant to discipline or discharge of an employee for violation of these Regulations and/or the Testing Act or as required by law to be released. Upon written request, a driver will receive copies of any records pertaining to the driver's use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records will be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver or as required by law.~~

~~Notifications~~

~~Each driver will receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the driver's policy and regulations for meeting such requirements. Representatives of employee organizations will be notified of the availability of this information. The information will identify:~~

- ~~- A. the person designated by the Superintendent to answer driver questions about the materials;~~

- ~~B. categories of drivers who are subject to the drug and alcohol testing requirements;~~
- ~~C. sufficient information about the safety-sensitive functions performed by drivers to make clear for what period of the work day driver compliance is required;~~
- ~~D. specific information concerning driver conduct that is prohibited;~~
- ~~E. circumstances under which a driver will be tested for drugs and/or alcohol;~~
- ~~F. procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and insure that test results are attributed to the correct driver;~~
- ~~G. the requirement that a driver submit to drug and alcohol tests administered in accordance with Federal regulations and these regulations;~~
- ~~H. an explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;~~
- ~~I. consequences for drivers found to have violated the drug and alcohol prohibitions including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment;~~
- ~~J. consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04; and~~
- ~~K. information concerning the effects of drugs and alcohol on an individual's health, work and personal life; external and internal signs and symptoms of a drug or alcohol problem, and available methods of intervening when a drug or alcohol problem is suspected including confrontation, referral to an employee assistance program and/or referral to administrative officials.~~

~~Each driver must sign a statement certifying that s/he has received a copy of the above materials.~~

~~The District will inform drivers before drug and alcohol tests are performed that the test is required by the Testing Act.~~

~~The District will notify a driver of the results of the pre-employment drug and/or alcohol test if the driver requests such results within sixty (60) calendar days of being notified of the disposition of his/her employment application. The District will notify a driver of the results of random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug tests if the test results are verified positive or alcohol test if the test results are above 0.02 breath alcohol concentration. The District also will tell the driver which controlled substances were verified as positive.~~

~~Enforcement and Consequences for Violation~~

~~Any driver who refuses to submit to post-accident, random, or reasonable suspicion tests will be immediately removed from or continue to be removed from safety-sensitive functions and shall be treated as if the driver had a verified positive drug test or had failed to pass an alcohol test at the level required in these Regulations and the Testing Act. Any applicant who refuses to submit to a pre-employment test shall not be employed by the District.~~

~~If a driver tests positive for drugs or has an alcohol test indicating a 0.02 or greater breath alcohol concentration, the driver shall be immediately removed from safety-sensitive job duties. It shall be grounds for termination from employment with the School District when any driver tests positive for drugs or has an alcohol test indicating a 0.02 or greater breath alcohol concentration. Any applicant who tests positive for drugs or has an alcohol test indicating a 0.02 or greater breath alcohol concentration shall not be employed by the District.~~

~~A driver who violates District prohibitions related to drugs and alcohol will be advised by the School District of resources available to the driver on evaluating and resolving problems associated with the misuse of alcohol and drugs, including the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate, treat, and resolve drug and alcohol-related problems. The School District is not obligated in any way to provide such information to a driver/applicant who refuses to submit to any test or fails a pre-employment test. The School District is not obligated in any way whatsoever to provide or pay for rehabilitation, evaluation, or treatment.~~

~~A driver who tests positive for drugs or has an alcohol test indicating a 0.02 or greater breath alcohol concentration is considered to have committed an offense of a serious nature which represents grounds for the termination of employment. Any such termination shall be subject to the due process rights of the employee and the applicable Board policies and laws governing the termination of School District employees. A driver who tests positive for drugs or has an alcohol test indicating a 0.02 or greater breath alcohol concentration shall be suspended without pay pending termination proceedings. The suspension without pay shall be pursuant to Section 1101.45(3) of the negotiated agreement and the termination shall be pursuant to Section 1101.45(4) of the negotiated agreement. The School District may proceed directly to the step of Section 1101.45(3) "Suspension" for suspension and/or Section 1101.45(4) "Termination" for termination without application of any other steps in Section 1101.45 "The Constructive Discipline Process." Any suspension pending termination will be on an unpaid status. If an employee is found to be innocent of violating the drug and alcohol policy, back pay would be issued for the employee's suspended time. Appeals from an order of termination shall be pursuant to Section 401.5 "Appeal to Civil Service" of the negotiated agreement. If a driver tests positive for drugs or has an alcohol test indicating a 0.02 or greater breath alcohol concentration and is not terminated, the driver must comply with all requirements of the Testing Act before returning to duty in safety-sensitive functions including, but not limited to, return to duty and follow-up testing.~~

Other

~~Drivers shall be paid their appropriate hourly rate for all time required for mandatory drug and alcohol testing pursuant to these regulations and the Testing Act. When tested pursuant to reasonable suspicion testing, drivers shall be paid their appropriate hourly rate for hours they would have regularly worked for their regularly assigned daily job responsibilities until the results of the testing is obtained by the School District. Drivers will be transported by the School District to the testing site for post-accident and reasonable suspicion testing.~~

Appendix A

DEFINITIONS

~~For the purposes of the Drug and Alcohol Guidelines, the following definitions shall apply:~~

Alcohol—the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol Test—a breath test using an evidential breath testing device (DBT) is the method of testing used to detect the level of alcohol (see Evidential Breath Test definition below). Both a screening test and a confirmation test must be used to establish a positive test result. The DOT is currently considering whether to use alternative methods of testing, such as blood or saliva testing, as a back-up method for reasonable suspicion and post-accident tests when an EBT is not available.

Alcohol Concentration—means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

Alcohol Use—means the consumption of any beverage, mixture, or preparation including any medication containing alcohol.

Breath Alcohol Technician (BAT)—a trained individual who instructs and assists individuals in the alcohol testing process and operates an Evidential Breath Testing Device (EBT).

Commercial Motor Vehicle—a motor vehicle used in commerce to transport passengers or property if the motor vehicle (1) has a gross vehicle weight rating (GVWR) in excess of 26,000 pounds, or (2) is designed to carry sixteen (16) or more passengers (including the driver), (3) of any size, which is used in the transportation of a placardable amount of hazardous material.

Confirmation Test—for alcohol testing means a second test, following a screening test with a result of .02 or greater, that provides quantitative data of alcohol concentration.

For drug testing, means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test, and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy, generally a Gas Chromatography/Mass Spectrometry (GS/MS).

District Property—includes buildings, offices, warehouses, plants, facilities, land, equipment, vehicles which are owned, leased or used for District business and parking lots owned, utilized or leased by the District or any customer or supplier of the District. It also includes any other site at which the District business is transacted whether on or away from the District owned or leased property.

Drugs or Controlled Substance—any drug included in Schedules I through V (refer to Tab 8), as defined by Section 802(6) of Title 21 of the United States Code [21 U.S.C. 802(6)], (e.g. cocaine, marijuana, Valium, morphine) the possession of which is unlawful under Chapter 13 of that title. The term does not include the use of prescribed drugs which have been legally obtained and are being used for the purpose for which they were prescribed.

Drug Paraphernalia—any item which is primarily intended or designed for use in the administering, transferring, manufacturing or storing of a drug or controlled substance and/or an illegally used drug.

Drug Test—a urinalysis (urine) test that includes specimen collection and testing by a Department of Health and Human Services certified laboratory. Both a screening test and a confirmation test must be used to establish a positive test result.

Evidentiary Breath Test (DBT)—a device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and place on NHTSA's "Conforming Product's List of Evidential Breath Measurement Devices".

Illegally Used Drug—any prescribed drug which is legally obtainable but has not been legally obtained or is not being used for prescribed purposes, all designer drugs, and any other over-the-counter or non-drug substances (e.g. airplane glue) being used for other than their intended purpose. (Note: A designer drug is a man-made drug, or combination of drugs, which is similar in basic scientific properties to a drug or controlled substance and is produced in a clandestine laboratory.)

Medical Review Officer (MRO)—an independent, licensed physician responsible for receiving laboratory drug testing results. The MRO has knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate a positive test as it relates to the employee's medical history and other biomedical information.

~~Reasonable Suspicion of Drug and/or Alcohol Use~~—reasonable suspicion means such suspicion which will justify a supervisor in referring an employee for a drug and/or alcohol test. It is the amount suspicion sufficient to convince a trained supervisor under the circumstances to believe that:

- ~~A. the employee has violated the Alcohol and Drug Guidelines or to believe that the actions, appearance; or~~
- ~~B. the conduct of an on-duty employee are indicative of the use of drugs or alcohol.~~

~~The suspicion must be based/grounded in fact on specific, contemporaneous, articulable observations by a trained supervisor(s) concerning the appearance, behavior, speech, or body odors of the employee. For reasonable suspicion of alcohol misuse such observations must be made during, just preceding or just after the period of the work day that the employee is performing a safety sensitive function. Reasonable suspicion is more than mere suspicion but less than absolute certainty.~~

~~Safety-sensitive Functions~~—Pursuant to the FHWA regulations safety-sensitive functions means any of the following on-duty functions. On-duty means all the time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. On-duty work includes:

- ~~A. all time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;~~
- ~~B. all time inspecting, servicing, or conditioning any commercial motor vehicle or equipment at any time;~~
- ~~C. all driving time;~~
- ~~D. all time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;~~
- ~~E. all time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;~~
- ~~F. all time spent performing the driver requirements relating to accidents as required by the FHWA;~~
- ~~G. all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle;~~
- ~~H. all time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing when directed by the District in compliance with the FHWA regulations.~~

~~Safety-sensitive Position~~—any job position deemed by the District to be fraught with such risk, by the nature of the work involved, that even a momentary lapse in attention could have serious consequences to the employee, co-workers or the general public.

~~Screening Test~~—in alcohol testing, it means an analytical procedure to determine whether a driver may have a prohibited concentration in his/her system. In drug testing, it means an immunoassay screen to eliminate "negative" urine specimens from further consideration.

~~Substance Abuse Professional (SAP)~~—means a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professionals or addition counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification commission) with the knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders.

~~**Under the Influence of a Drug, Illegally Used Drug and/or Alcohol** the presence of a measurable amount which is .02% or higher breath alcohol content or a verified positive drug test result, at levels specified by the Substance Abuse and Mental Health Services Administration (SAMHSA), for a drug or an illegally used drug.~~

~~Adopted 8/14/95~~



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - TOBACCO USE PREVENTION
Code	po4215
Status	Policy Committee
Legal	A.C. 3701-52 R.C. 3313.20, 3313.47, 3313.751, 3794 et seq. 20 U.S.C. 6081 et seq., 20 U.S.C. 7182
Adopted	November 20, 1995
Last Revised	July 11, 2011

Revised Policy - Vol. 41, No. 2

4215 - ~~USE OF TOBACCO BY CLASSIFIED STAFF~~TOBACCO USE PREVENTION

The Board of Education is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of second hand smoke and vapor/aerosol exposure, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and other smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

The Board prohibits the use of tobacco or tobacco substitute products by ~~classified staff members~~ employees at all times within any enclosed facility owned, leased, or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to

(☒) school grounds,

(☒) athletic facilities, and

(X) any school-related event,

(X) and in designated areas as defined in statute and by Ohio's Smoke-Free Workplace Program.

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

[X] Advertising/Promotion

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

X Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board.

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4215—USE OF TOBACCO BY CLASSIFIED STAFF

The Board of Education is committed to providing students, staff, and visitors with a tobacco and smoke free environment. The negative health effects of tobacco use for both users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing a non-smoking and tobacco free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other lighted smoking devices for burning tobacco or any other substances.

In order to protect students and staff who choose not to smoke or use tobacco from an environment noxious to them, and because the Board does not condone smoking or the use of tobacco, the Board prohibits the use of tobacco or tobacco substitute products by classified staff members at all times within any enclosed facility owned or leased or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board owned and/or operated vehicles used to transport students and to all other Board owned and/or operated vehicles. Such prohibition also applies to school grounds, except in designated areas as defined in statute and by Ohio's Smoke Free Workplace Program.

CROSS REFS.:

1215, Use of Tobacco by Administrative Staff

4215, Use of Tobacco by Classified Staff

7434, Use of Tobacco on School Premises



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - ANTI-HARASSMENT
Code	po4362
Status	Policy Committee
Legal	R.C. 4112.02 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) 20 U.S.C. 1681 et seq. 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967 29 U.S.C. 794, Rehabilitation Act of 1973, as amended 29 C.F.R. Part 1635 29 U.S.C. 6101, The Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq. 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 1983 National School Boards Association Inquiry and Analysis – May 2008
Adopted	February 14, 2000
Last Revised	May 7, 2018

4362 - **ANTI-HARASSMENT**

General Policy Statement

All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment, including sexual harassment. This policy applies to unlawful conduct occurring during District operations, programs, and activities on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. Any conduct prohibited by this Policy constitutes "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations. A single act of Prohibited Conduct may be sufficiently severe, pervasive or persistent to create an intimidating, hostile, or offensive working and/or learning environment. The Board will

investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- J. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in Ohio Revised Code 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School District community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School District community or third parties who believe they have been unlawfully harassed by another member of the School District community or a third party are entitled to utilize the Board's complaint process that is set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Harassment, Intimidation, and Bullying, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the Anti-Harassment Compliance Officer who shall investigate the allegation in accordance with Policy 1662.01 Compliance Officer Investigations. For purposes of this Policy, a single act may be sufficiently severe, persistent or pervasive to create an intimidating, hostile, or offensive learning environment, even if it would not constitute a violation under Policy 5517.01. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy [4362](#) investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates ~~the following individual~~ **an administrator** to serve as "Anti-Harassment Compliance Officer" ("Compliance Officer").

~~Amber Hufford~~
~~Coordinator of Student Services~~
~~614-801-3000~~
~~3805 Marlane Drive~~
~~Grove City, OH 43123~~
~~amber.hufford@swcsd.us~~

The name, title, and contact information of this individual will be published annually on the School District's web site ~~at~~ <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>.

Investigation and Complaint Procedure (See Form 4362 F1)

Complaints of Prohibited Conduct and investigations thereof will be conducted under the requirements of Policy 1662.01 - Compliance Officer Investigations.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent/Designee shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Revised 8/04

Revised 8/11/08

Revised 3/8/10

Revised 8/9/10

T.C. 1/22/16

Revised 1/13/14

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Book	Policy Manual
Section	January 2025 Policy Revisions
Title	New - ELECTRONIC EQUIPMENT
Code	po5136.01
Status	Policy Committee
Legal	R.C. 3319.325, 3319.326, 3319.327

Revised Policy - Special Update - SB 29

5136.01 - ELECTRONIC EQUIPMENT

While in some instances that possession and use of electronic equipment or devices by a student at school may be appropriate, often the possession and use of such equipment or devices by students at school can have the effect of distracting, disrupting, and/or intimidating others in the school environment and leading to opportunities for academic dishonesty and other disruptions of the educational process. Consequently, the Board of Education will supply any electronic equipment or devices necessary for participation in the educational program. Students shall not use any electronic equipment or devices on school property or at any school-sponsored activity without the permission of **(X)** the principal.

Examples of prohibited devices include, but are not limited to:

- A. **(X)** e-readers (e.g., Kindle-like devices),
- B. **(X)** personal digital assistants (PDAs),
- C. **(X)** lasers,
- D. **(X)** laser pens or pointers,
- E. **(X)** radios,
- F. **(X)** "boom-boxes",
- G. **(X)** headphones,
- H. **(X)** portable CD/MP3 players,
- I. **(X)** portable TV's,
- J. **(X)** electronic games/toys,
- K. **(X)** pagers/beepers, other paging devices,
- L. **(X)** audio recorders _____,

[X] Students may use the following electronic equipment/devices on school property for an educational or instructional purpose (e.g. taking notes, recording a class lecture, writing papers) with the teacher's permission and supervision:

- A. ☒ cameras (photographic and/or video)
- B. ☒ laptops
- C. ☒ Junior Reserve Officer Training Corps Drones (must follow Administrative Guideline 7440.03) or other accredited course.
- D. e-readers (e.g., Kindle-like devices),
- E. personal digital assistants (PDAs),
- F. headphones

☒ Students may use the following electronic equipment/devices while riding to and from school on a school bus or other vehicle provided by the Board ☒ or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the ☒ bus driver, or ☒ sponsor/advisor/coach.

- A. ☒ tablets (e.g., iPad-like devices)
- B. ☒ smartphones
- C. ☒ e-readers (e.g., Kindle-like devices)
- D. headphones

Distracting behavior that creates an unsafe environment will not be tolerated.

☒ The preceding prohibitions do not apply to Board-owned and issued laptops, tablets, e-readers, PDAs, or authorized assistive technology devices.

Students are prohibited from using electronic equipment or devices in a manner that may be physically harmful to another person (e.g. shining a laser in the eyes of another student). Further, at no time may any camera or other electronic equipment/device be utilized by a student in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated. See Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using a camera or other electronic equipment/device to: 1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex (including sexual orientation/transgender identity), age, disability, religion, or political beliefs; and 2) send, share, view or possess pictures, text messages, e-mails, or other materials of a sexual nature (i.e., sexting) in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are prohibited from using cameras and other electronic equipment/devices to capture, record, or transmit test information or any other information in a manner constituting fraud, theft, or academic dishonesty. Similarly, students are prohibited from using cameras and other electronic equipment and devices to capture, record, or transmit the words (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture and/or recording of such words or images. Using a camera or other electronic equipment/devices to capture, record, or transmit audio and/or pictures/video of an individual without the individual's consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal. Cameras and electronic equipment/devices are expressly banned from and may not be possessed, activated, or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to locker rooms, shower facilities, restrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The building principal has authority to make determinations as to other specific locations and situations where possession of a camera or other electronic equipment/device is absolutely prohibited.

Unauthorized electronic equipment and devices will be confiscated from the student by school personnel and disciplinary action taken.

Any electronic equipment/device confiscated by District staff will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian. Electronic equipment/devices in District custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules (e.g. a student is observed using a camera in a prohibited area). Any search will be conducted in accordance with Board Policy 5771 - Search and Seizure.

Students are personally and solely responsible for the care and security of any electronic equipment or devices they bring to school. The Board assumes no responsibility for theft, loss, damage, or vandalism to electronic equipment and devices brought onto its property, or the unauthorized use of such devices.

Accessing and Monitoring School-Issued Devices and Accounts

While students have no right or expectation of privacy when using District technology resources, the District and third-party technology providers that provide services through a contract with the District are prohibited by State law from electronically accessing or monitoring certain features on school-issued devices provided to students unless a legally permissible exception exists. School-issued devices are defined as any hardware, software, devices, or accounts that a school district provides to an individual student for dedicated student use. ~~that student's personal use.~~ The prohibited features include location-tracking features of a school-issued device, audio or visual receiving, transmitting, or recording features of a school-issued device, and student interactions with a school-issued device including, but not limited to, keystrokes and web-browsing activity.

"Student" means an individual currently enrolled in the School District in any of grades kindergarten through twelve (12).

However, the District and third-party providers are permitted to access and monitor student devices in the following circumstances:

- A. The activity is limited to non-commercial educational purposes for instruction, technical support, or exam proctoring by School District employees, student teachers, staff contracted by the District, a vendor, or the Department of Education and Workforce, ~~and notice is provided in advance;~~
- B. The activity is permitted under a judicial warrant or subpoena unless otherwise prohibited by State or Federal law;
- C. The District or a technology provider is notified or becomes aware that the device is missing or stolen;
- D. The activity is necessary to prevent or respond to a threat to life or safety, and the access is limited to that purpose;
- E. The activity is necessary to comply with Federal or State law; and
- F. The activity is necessary to participate in Federal or State funding programs.

Annually, the Board provides notice to parents and guardians of enrolled students that it generally monitors student devices in one (1) or more of the permitted circumstances. In the event that one (1) of the permissible circumstances listed in B, C, or D above prompts access to a student's device, and the District initiates responsive action, the District will notify parents in writing within seventy-two (72) hours of accessing the device. The notice will include an explanation of the circumstances which prompted the access, what features were accessed, and a description of the threat posed, if applicable. This notice is not required at any time when the notice would pose a threat to life or safety. ~~If the notice itself would cause a threat to life or safety, the District will provide the notice within seventy-two (72) hours after the threat has ceased.~~

A contract entered into between a school district and a county board of developmental disabilities, educational service center, joint vocational school district, another school district, or an information technology center for services, including the general monitoring or access of school-issued devices, shall indicate which entity is responsible for providing notice under this section.

R.C. 3319.325, 3319.326, 3319.327

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - ATTENDANCE
Code	po5200
Status	Policy Committee
Legal	R.C. 3313.664, 3313.668, 3317.034, 3321.01 et seq., 3321.13(B)(2), 3321.19, 3321.191 R.C. 3321.22, 3321.38, 3323.041 A.C. 3301-35-03, 3301-47-01, 3301-69-02
Adopted	August 14, 1995
Last Revised	April 8, 2024

5200 - **ATTENDANCE**

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session or during the attendance sessions to which a student has been assigned.

A student in grades 9 through 12 may be considered a full-time equivalent student provided the student is enrolled in at least five (5) units of instruction, as defined by State law, per school year.

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a statement of the cause for such absence. The Board of Education reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence.

The Board considers the following factors to be reasonable excuses for time missed at school:

- A. personal illness (a written physician's statement verifying the illness may be required)
- B. appointment with a health care provider
- C. illness in the family necessitating the presence of the child
- D. quarantine of the home
- E. death in the family
- F. necessary work at home due to absence or incapacity of parent(s)/guardian(s)
- G. ~~observation or celebration of a bona fide religious holiday~~ religious expression days, up to three (3) of which may, after approval by the principal in accordance with this policy, permit the student to be absent without any academic penalty

- H. out-of-state travel (up to a maximum twenty-four (24) hours per school year that the student's school is open for instruction) to participate in a District-approved enrichment or extracurricular activity

Any classroom assignment missed due to the absence shall be completed by the student.

~~If the student will be absent for twenty four (24) or more consecutive hours that the student's school is open for instruction, a classroom teacher shall accompany the student during the travel period to provide the student with instructional assistance.~~

- I. such good cause as may be acceptable to the Superintendent

- J. medically necessary leave for a pregnant student in accordance with Policy 5751

- K. service as a precinct officer at a primary, special or general election in accordance with the program set forth in Policy 5725

- L. college visitation

The District requires verification of the date and time of the visitation by the college, university, or technical college.

- M. absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status

- N. absences due to a student being homeless

- O. absences due to a student's adoption court proceedings

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

The Board shall consider each student assigned to a program of other guided learning experiences to be in regular attendance for the program provided that the student reports to such staff member the student is assigned for guidance at the place in which the student is conducting study, and regularly demonstrates progress toward the objectives of the course of study.

A maximum of nine (9) of a student's excusable absences from school will be considered excused with parental notification by phone. All other absences from school will require additional information and/or documentation in order for the absence to be considered excused. Documentation, other than parent notes provided for purpose of excused absences from school, is reviewed by the principal or designee.

At the discretion of the Superintendent, a student may be excused for a longer period of time than nine (9) days if a child's parent or guardian has recently died or become totally or partially incapacitated and there is no older brother or sister living in the home who is out of school. (The Superintendent may request a certificate of a physician attesting to the physical condition of the parent or guardian.)

Contacting the Parent/Guardian of an Absent Student

When a parent, guardian, or other person having care of a student has failed to initiate a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse within 120 minutes after the beginning of each school day by a method designated by the Superintendent in accordance with Ohio law (see AG 5200).

Excessive Absences

When a student of compulsory school age is absent from school with combined nonmedical excused absences and unexcused absences in excess of thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year, that student is considered "excessively absent" from school. **Religious expression days that have been approved by the Principal in accordance with this policy will not be considered for the purpose of determining whether a student is excessively absent.** The District or school shall notify the child's parent or guardian of the child's absences, in writing, within seven (7) school days after the date of the absence that triggered the notice requirement. At the same time written notice is given, any appropriate intervention action listed herein may be taken.

The following “medical excuses” will not count toward a student’s excessive absence hours: (1) personal illness; (2) illness in the family necessitating the presence of the child; (3) quarantine of the home; (4) health care provider appointments (doctor, dentist, mental health provider, etc.); (5) medically-necessary leave for a pregnant student in accordance with Policy 5751; (6) death in the family; or (7) other set of circumstances the Superintendent deems on a case-by-case basis to be a good and sufficient cause for medical absence from school.

A medically excused absence occurs any time a student is out of school due to illness or medical visit (physician, dentist, mental health, etc.). A medical excuse for personal illness will be accepted in the form of doctor’s note or parent call-in on the day of the absence due to illness or doctor’s visit. A student may have up to nine (9) medically excused absences without a doctor’s note, but with a phone call from a parent/guardian. ~~For the 2020-2021 school year, medical excused absences will be accepted through this process for students participating both in person and remotely. This policy will be extended beyond nine (9) days if the student or someone in the student’s family is in quarantine due to recognized pandemic/epidemic (e.g., COVID-19) or experiencing symptoms of the pandemic/epidemic.~~

Religious Expression Days

The Principal will approve up to three (3) religious expression days per school year after receiving a written request from the student’s parent or guardian. Religious expression days may be used to take holidays for reasons of faith or religious or spiritual belief system or participate in organized activities conducted under the auspices of a religious denomination, church, or other religious or spiritual organization. Students who are absent on approved religious expression days will not face any academic penalties and will be provided with academic accommodations with regard to examinations and other academic requirements that are missed.

~~To receive accommodations for religious expression days, parents or guardians must submit written requests to the Principal within fourteen (14) days after the start of the school year or fourteen (14) days after a student is enrolled in the District. The requests must specify the religious expression day(s) to be approved. The Principal will approve the days without inquiring into the sincerity of a student’s religious or spiritual belief system. However, the Principal may verify the authenticity of a request by contacting the parent or guardian to confirm they signed it. The Principal may deny the request for religious expression days if the parent or guardian indicates that the signature is not authentic. Once the days have been approved, the Principal will ensure that each teacher schedules a time and date for alternative examinations or other academic requirements that conflict with the student’s absence. Students may participate in interscholastic athletics or other extracurricular activities on days in which the student is absent for religious expression.~~

~~The District has adopted the following procedure for a student, parent, or guardian to notify the District of any grievance with regard to the implementation of this policy. A grievance must be submitted in writing to the (~~x~~) Superintendent (~~x~~) or Designee _____. The (~~x~~) Superintendent (~~x~~) or Designee _____ will review the grievance and issue a written determination of whether the policy has been violated. The decision of the (~~x~~) Superintendent (~~x~~) or Designee _____ is final and not subject to further appeal.~~

The District will notify parents and guardians annually about this policy and the procedures that they must follow to request accommodations for religious expression days.

Habitually Truant

A student will be considered habitually truant if the student is of compulsory school age and absent without a legitimate excuse for thirty (30) or more consecutive hours, for forty-two (42) or more hours in one (1) school month, or for seventy-two (72) or more hours in one (1) school year.

Legitimate excuses for the absence of a student who is otherwise habitually truant include but are not limited to:

- A. the student was enrolled in another school district;
- B. the student was excused from attendance in accordance with R.C 3321.04; or
- C. the student has received an age and schooling certificate.

Absence Intervention Team

To the extent required by law as determined on an annual basis, within ten (10) days of a student becoming habitually truant, the Principal shall assign the student to an absence intervention team.

Within fourteen (14) school days after the assignment of a student to an absence intervention team, the team shall develop an intervention plan for that student in an effort to reduce or eliminate further absences. Each intervention plan shall vary based on the individual needs of the student, but the plan shall state that the attendance officer shall file a complaint not later than sixty-one (61) days after the date the plan was implemented, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan. Within seven (7) school days after the development of the plan, reasonable efforts shall be made to provide the student's parent/guardian/custodian, with written notice of the plan.

Each absence intervention team may vary based on the needs of each individual student but shall include a representative from the child's building, another representative from the child's building who knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

The members of the absence intervention team shall be selected within seven (7) school days of the student meeting the habitually truant threshold. Within the same period of seven (7) school days, the Principal shall make at least three meaningful, good faith attempts to secure the participation of the student's parent/guardian/custodian, guardian ad litem, or temporary custodian on that team. A good faith attempt to secure the participation of the parent shall include, but not be limited to, contacting (or attempting to contact) the parent by telephone, email, or regular mail. If the student's parent responds to any of those attempts, but is unable to participate for any reason, the Principal shall inform the parent of the parent's right to appear by designee. If seven (7) school days elapse and the student's parent/guardian/custodian, guardian ad litem, or temporary custodian fails to respond to the attempts to secure participation, the attendance officer shall investigate whether the failure to respond triggers mandatory abuse or neglect reporting to the public children services agency. At the same time, the absence intervention team shall continue to develop an intervention plan for the child notwithstanding the absence of the child's parent/guardian/custodian, guardian ad litem, or temporary custodian.

Intervention Strategies

In order to address the attendance practices of a student who is habitually truant, the intervention team may, as part of an intervention plan, take any of the following intervention actions (as deemed appropriate and/or available):

- A. provide counseling to the student
- B. request the student's parent to attend a parental involvement program
- C. request a parent to attend a truancy prevention mediation program
- D. notify the Registrar of Motor Vehicles of the student's absences
- E. take appropriate legal action
- F. any other strategies deemed appropriate to assist families in addressing barriers to attendance

In the event that a student becomes habitually truant within twenty-one (21) school days prior to the last day of instruction of a school year, the Principal may, in his/her discretion, assign a designee (one school official) to work with the child's parent/guardian/custodian, guardian ad litem, or temporary custodian to develop an absence intervention plan during the summer.

The absence intervention process shall commence upon the first day of instruction of the next school year.

Reporting Requirements

The attendance officer shall file a complaint in the juvenile court and/or child protection agency against a student on the sixty-first (61st) day after the implementation of an absence intervention plan or other intervention strategies, provided that all of the following apply:

- A. The student is habitually truant.
- B. The school district or school has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies, and any offered alternatives to adjudication, if applicable.
- C. The student has refused to participate in or failed to make satisfactory progress on the plan, as determined by the absence intervention team, or any offered intervention strategies or alternative to adjudication.

If the student, at any time during the implementation phase of the absence intervention plan or other intervention strategies, is absent without legitimate excuse for thirty (30) or more consecutive hours or forty-two (42) or more hours in one school month, the attendance officer may file a complaint in juvenile court against that student, unless the absence intervention team has determined that the student has made substantial progress on the absence intervention plan.

In the event that the sixty-first (61st) day after the implementation of the absence intervention plan or other intervention strategies falls on a day during the summer months, the ~~attendance officer~~ **absence intervention team** may extend the implementation of the plan and delay the filing of the complaint for an additional thirty (30) days from the first day of instruction of the next school year.

The Superintendent is authorized to establish an educational program for parents of truant students which is designed to encourage parents to ensure that their children attend school regularly. Any parent who does not complete the program is to be reported to law enforcement authorities for parental education neglect, a fourth class misdemeanor if found guilty.

Whenever any student of compulsory school age has sixty (60) consecutive hours in a single month or a total of ninety (90) hours of unexcused absence from school during the school year, the student will be considered habitually absent under R.C. 3321.13(b)(2). The Board authorizes the Superintendent to inform the student and their parents, guardian, or custodian of the record of absences without a legitimate excuse as well as the District's intent to notify the Registrar of Motor Vehicles, if appropriate, and the Judge of the Juvenile Court of the student's unexcused absences and habitually absent status.

If a student who is habitually truant violates the order of a juvenile court regarding the student's prior adjudication as an unruly child for being a habitual truant, the student may further be adjudicated as a delinquent child.

The District shall report to the Ohio Department of Education, as soon as practicable, and in a format and manner determined by the Department, any of the following occurrences:

- A. when a notice that a student has been absent with or without legitimate excuse for thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year is submitted to a parent/guardian/or custodian;
- B. when a child of compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for thirty (30) or more consecutive hours, forty-two (42) or more hours in one school month, or seventy-two (72) or more hours in a school year;
- C. when a child of compulsory school age who has been adjudicated an unruly child for being a habitual truant violates the court order regarding that adjudication;
- D. when an absence intervention plan has been implemented for a child under this policy.

This policy was developed after consultation with the judge of the juvenile court of Franklin County, with the parents, guardians, or other persons having care of the students attending school in the district, and with appropriate State and local agencies.

SCHOOL ABSENCES

Elementary/Intermediate School

- A. A student's excusable absences from school are excused by parent notification for a maximum of nine (9) days. All other absences from school require additional verification or notification in order to be considered excused (i.e., doctor's note). Documentation, other than parent notes provided for purpose of excused absences from school, is reviewed by the principal or designee. Pre-planned absences are considered part of the nine (9) days (see Planned Absence Policy 5200.04). If the school does not receive appropriate notification, the absence will be considered unexcused.
- B. When the student reaches nine (9) days of parental excused absences, s/he will be mailed an Absence Notification Letter.
- C. All notification of absences from school must be provided to the school attendance office within two (2) school days of the student's return to school. If notification is not provided within this time period, the absence is considered unexcused.
- D. When a student exceeds twenty (20) days of absence (excused and/or unexcused), s/he may be considered for retention.

E. Absences will be coded by the length of time students are not in school:

1. Tardy – up to one hour in the a.m.
2. Half day
3. Full day
4. Early dismissal – missing the last one hour of the day

F. When unexcused absences accrue, guidelines from the Habitual and Chronic Truancy Policy 5200.03 must be followed.

For purposes of this policy, a student will be considered a habitual truant if s/he is absent without legitimate excuse for five (5) or more consecutive school days, seven (7) or more school days in one school month, or twelve (12) or more school days in a school year.

A student will be considered a chronic truant for purposes of this policy if s/he is absent without legitimate excuse for seven (7) or more consecutive school days, ten (10) or more school days in one school month, or fifteen (15) or more school days in a school year.

G. A student may not receive credit for unexcused absences.

Middle/High School

A. A student's **excusable** absences from school are excused by parent notification for a maximum of nine (9) days. All other absences from school require additional verification or notification in order to be considered excused (i.e., doctor's note). Documentation, other than parent notes provided for purpose of excused absences from school, is reviewed by the principal or designee. Pre-planned absences are considered part of the nine (9) days (see Planned Absence Policy 5200.04). If the school does not receive appropriate notification, the absence will be considered unexcused.

B. When the student reaches nine (9) days of parental excused absences, s/he will be mailed an Absence Notification Letter.

C. All notification of absences from school must be provided to the school attendance office within two (2) school days of the student's return to school. If notification is not provided within this time period, the absence is considered unexcused.

D. When a student exceeds twenty (20) days of absence (excused and/or unexcused), the following actions may take place:

1. summer school
2. retention
3. expulsion

E. Absences will be coded by the length of time students are not in school:

1. Tardy – up to one hour in the a.m.
2. Half day
3. Full day
4. Early dismissal – missing the last one hour of the day

F. When unexcused absences accrue, guidelines from the Habitual and Chronic Truancy Policy 5200.03 must be followed.

For purposes of this policy, a student will be considered a habitual truant if s/he is absent without legitimate excuse for five (5) or more consecutive school days, seven (7) or more school days in one school month, or twelve (12) or more school days in a school year.

A student will be considered a chronic truant for purposes of this policy if s/he is absent without legitimate excuse for seven (7) or more consecutive school days, ten (10) or more school days in one school month, or fifteen (15) or more school days in a school year.

G. A student may not receive credit for unexcused absences.

TARDIES

Elementary School

The school staff, parents and students shall make every effort to prevent tardy behavior. Students will be counted tardy when they are not present at the designated beginning time for school. Tardiness will result in a progressive disciplinary action developed by the school; the more tardies a student accrues, the more severe the consequences.

Tardies and early dismissals will be coded for each student who missed up to one (1) hour of the beginning or end of school.

Intermediate School

The school staff, parents and students shall make every effort to prevent tardy behavior. Students will be counted tardy when they are not present at the designated beginning time for school. Tardiness will result in a progressive disciplinary action developed by the school; the more tardies a student accrues, the more severe the consequences.

Tardies and early dismissals will be coded for each student who missed up to one (1) hour of the beginning or end of school.

Middle School

The school staff, parents and students shall make every effort to prevent tardy behavior. Students will be counted tardy when they are not present at the designated beginning time for school. Tardies will result in a progressive disciplinary action developed by the school; the more tardies a student accrues, the more severe the consequences.

Tardies and early dismissals will be coded for each student who missed up to one (1) period at the beginning or end of school.

High School

The school staff, parents and students shall make every effort to prevent tardy behavior. Students will be counted tardy when they are not present at the designated beginning time for school. Tardies will result in a progressive disciplinary action developed by the school; the more tardies a student accrues, the more severe the consequences. If the primary cause for tardiness to school is because of driving, the student's driving privilege will be revoked with no refund of parking fee.

Tardies and early dismissals will be coded for each student who missed up to one (1) period at the beginning or end of school.

TRUANCY/CLASS CUT

Middle School

Truancy is defined as being out of school or class for a reason other than the reasons listed under the Ohio Revised Code (ORC). Truancy from school or from class will result in disciplinary action, which may include truancy charges being filed.

High School

Truancy is defined as being out of school or class for a reason other than the reasons listed under the Ohio Revised Code (ORC). A student who is truant from school or class will not be allowed to make up missed work in the class(es) for the truancy date(s).

Truancy from school or from class will result in disciplinary action, which may include truancy charges being filed.

PLANNED ABSENCES

All Schools

It is recognized that circumstances may cause a parent to request that a student be out of school. A planned absence policy has been adopted by the Board of Education. Planned absences will be considered by the Superintendent or designee to determine whether the absences will be excused or unexcused (see Planned Absence Policy 5200.04).

MAKE UP OF CLASS WORK**Elementary School**

Elementary students are to make up work missed as directed by the teachers.

The time limit for make-up work shall be one (1) day for each day of absence. The student may not be allowed more than two (2) weeks to make up missed assignments unless an extension is granted by the building principal, who will notify the student's teacher in writing. Where the absence is anticipated in advance, such as an operation, the student should arrange a procedure in advance for making up assignments and tests.

Intermediate School

Intermediate students are to make up work missed as directed by the teachers.

The time limit for make-up work shall be one (1) day for each day of absence. The student may not be allowed more than two (2) weeks to make up missed assignments unless an extension is granted by the building principal, who will notify the student's teacher in writing. Where the absence is anticipated in advance, such as an operation, the student should arrange a procedure in advance for making up assignments and tests. Intermediate school students will receive credit for work completed during out of school suspensions.

Middle School

There is no adequate way to make up a class that is missed. When a student has been absent, it is the student's responsibility to contact their teacher for assignments and tests.

The time limit for make-up work shall be one (1) day for each day of absence. The student may not be allowed more than two (2) weeks to make up missed assignments unless an extension is granted by the building principal, who will notify the student's teacher in writing. Where the absence is anticipated in advance, such as an operation, the student should arrange a procedure in advance for making up assignments and tests. Middle school students will receive credit for work completed during out of school suspensions.

High School

There is no adequate way to make up a class that is missed. When a student has been absent, it is the student's responsibility to contact their teacher for assignments and tests.

The time limit for make-up work shall be one (1) day for each day of absence, but may not exceed two (2) weeks after the reentry to school unless an extension is granted, in writing, by the principal. Where the absence is anticipated in advance, such as an operation, the student should arrange a procedure in advance for making up assignments and tests.

OUT-OF-SCHOOL SUSPENSION AND CREDIT**Elementary/Intermediate School**

Elementary and Intermediate school students will receive credit for work completed during an out-of-school suspension.

Middle School

Middle school students will receive credit for work completed during an out-of-school suspension.

High School

High school students will receive credit for work completed during an out-of-school suspension.

High School Expulsion and Credit

- A. A student who is expelled will not receive credit for the courses in which the student was enrolled in at the time of expulsion.
- B. However, if the expulsion occurs during the second semester, there is the possibility of granting one-half of the year-long credit for any successful first semester work in a year-long course.

ABSENCE NOTIFICATION

Elementary School

Parents are to call the school to notify if a child is not going to be in attendance for that day.

A. *Phone calls will be received:*

Call the school attendance number and leave a message any time day or night.

B. *Attendance will be taken:*

At the beginning of the school day.

The school attendance office will then compare the parent notification calls with the absence list and will then call the parents of those students for whom they have not received a call and who are reported as absent.

Contacting the Parent/Guardian of an Absent Student

When a parent, guardian, or other person having care of a student has failed to initiate a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse within 120 minutes after the beginning of each school day by a method designated by the Superintendent in accordance with Ohio law.

Intermediate School

Parents are to call the school to notify if a child is not going to be in attendance for that day.

A. *Phone calls will be received:*

Call the school attendance number and leave a message any time day or night.

B. *Attendance will be taken:*

Homeroom for grades 5 and 6.

The school attendance office will then compare the parent notification calls with the absence list after 1st period and will then call the parents of those students for whom they have not received a call and who are reported as absent.

Contacting the Parent/Guardian of an Absent Student

When a parent, guardian, or other person having care of a student has failed to initiate a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse within 120 minutes after the beginning of each school day by a method designated by the Superintendent in accordance with Ohio law

Middle School

Parents are to call the school to notify if a child is not going to be in attendance for that day.

A. *Phone calls will be received:*

Call the school attendance number and leave a message any time day or night.

B. *Attendance will be taken:*

Homeroom for grades 7 and 8

The school attendance office will then compare the parent notification calls with the absence list after 1st period and will then call the parents of those students for whom they have not received a call and who are reported as absent.

Contacting the Parent/Guardian of an Absent Student

When a parent, guardian, or other person having care of a student has failed to initiate a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse within 120 minutes after the beginning of each school day by a method designated by the Superintendent in accordance with Ohio law

High School

Parents are to call the school to notify if a child is not going to be in attendance for that day.

A. *Phone calls will be received:*

Call the school attendance number and leave a message any time day or night.

B. *Attendance will be taken:*

Homeroom for grades 9 through 12

The school attendance office will then compare the parent notification calls with the absence list after homeroom period and will then call the parents of those students for whom they have not received a call and who are reported absent.

Contacting the Parent/Guardian of an Absent Student

When a parent, guardian, or other person having care of a student has failed to initiate a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse within 120 minutes after the beginning of each school day by a method designated by the Superintendent in accordance with Ohio law

All Schools

Parents are responsible for providing a telephone number to the school where they may be reached during the day in order to be notified of their child's absence from school.

Parents are requested to call to notify the school of a child's absence. At that time, the absence is verified. If no call is received, the school will attempt to contact the parent. If the school talks to the parent, the absence is verified. If the school is unable to make contact with the parent, a postcard will be sent confirming the child's absence.

For those instances when a school is unable to make contact with the parent to verify an absence, the child must bring a note signed by the parent to the school upon his/her return. If a note is provided, the absence is verified. If no note is provided, the absence is recorded as unexcused, and the student is considered truant. All notification of absence must be provided to the school attendance office within two (2) school days of the student's return to school. If notification is not provided within this time period, the absence is considered unexcused.

Revised 3/13/17

Revised 7/10/17

Revised 5/7/18

Revised 4/13/20

Revised 1/4/21

Revised 12/6/21

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South-Western City School District
Bylaws & Policies

~~5200.03 – HABITUAL AND CHRONIC TRUANCY~~

~~The Board of Education believes that students who have good attendance generally achieve higher grades, enjoy school more, and are more employable after leaving high school. The Board further believes that continuity in the learning process is seriously disrupted by excessive absences. Accordingly, the Board is committed to taking measures to reduce student truancy and to encourage the regular attendance of students at school. The purpose of this policy is to address and ameliorate the attendance practice of any student who is a habitual or chronic truant.~~

~~For purposes of this policy, a student will be considered a habitual truant if s/he is absent without legitimate excuse for five (5) or more consecutive school days, seven (7) or more school days in one school month, or twelve (12) or more school days in a school year.~~

~~A student will be considered a chronic truant for purposes of this policy if s/he is absent without legitimate excuse for seven (7) or more consecutive school days, ten (10) or more school days in one school month, or fifteen (15) or more school days in a school year.~~

~~The District shall endeavor to address and ameliorate student truancy problems through a variety of prevention and intervention strategies. These measures may include, but are not limited to, the following:~~

- ~~- A. taking disciplinary action against a student for truancy, in accordance with approved Board policy and regulations;~~
- ~~- B. sending an absence notification letter to a student's parent or guardian, requiring the parent or guardian to contact the school to discuss the student's absences;~~
- ~~- C. giving a student and his/her parent or guardian written warning about the possible legal consequences of truancy;~~
- ~~- D. requiring the student's parent or guardian to attend a parental education or training program to encourage parental involvement in compelling the student's attendance at school;~~
- ~~- E. filing a complaint against the student and his/her parent or guardian in the County Common Pleas Court, Juvenile Division;~~
- ~~- F. providing a truancy prevention program;~~
- ~~- G. notifying the registrar of motor vehicles of a student's truancy, as permitted under Ohio law, which can result in suspension of a student's driver's license or permit or a denial of the opportunity to obtain such a license or permit;~~
- ~~- H. referring the matter to County Court of Common Pleas, Juvenile Division, for scheduling of an administrative hearing before a complaint is filed; and~~
- ~~- I. assigning a student to attend the alternative school when available.~~

~~The District will endeavor to work cooperatively with the county juvenile court and appropriate State and local agencies to deal with the issue of habitual and chronic truancy.~~

~~District teachers, administrators and guidance counselors are encouraged to make every reasonable effort to determine and address the cause(s) of a student's truancy. The Board further encourages teachers to consult with school counselors about students' truancy problems and to suggest to students that they see a guidance counselor if they are having a truancy problem.~~

~~If a student is considered a chronic truant and the student's parent or guardian fails to compel the student's attendance at school, the District shall file a complaint jointly against the student and the student's parent or guardian in the County Court of Common Pleas, Juvenile Division, in accordance with Ohio law.~~

~~HABITUAL AND CHRONIC TRUANCY~~

Elementary School	Intermediate School	Middle School	High School
-	-	-	-
9 days parent excused (parent call-in; note; school notification)	9 days parent excused (parent call-in; note; school notification)	9 days parent excused (parent call-in; note; school notification)	9 days parent excused (parent call-in; note; school notification)
-	-	-	-
9-day letter mailed to parents	9-day letter mailed to parents	9-day letter mailed to parents	9-day letter mailed to parents
5 days unexcused absences	5 days unexcused absences	5 days unexcused absences	5 days unexcused absences
-	-	-	-
warning letter mailed to parents nearing "habitual" status	warning letter mailed to parents nearing "habitual" status	warning letter mailed to parents nearing "habitual" status	warning letter mailed to parents nearing "habitual" status
-	-	-	-
5 days consecutive unexcused; 7 in a month; 12 in a year student reached "habitual" status	5 days consecutive unexcused; 7 in a month; 12 in a year student reached "habitual" status	5 days consecutive unexcused; 7 in a month; 12 in a year student reached "habitual" status	5 days consecutive unexcused; 7 in a month; 12 in a year student reached "habitual" status
-	-	-	-
7 consecutive days unexcused; 10 in a month; 15 in a year student reached "chronic" status	7 consecutive days unexcused; 10 in a month; 15 in a year student reached "chronic" status	7 consecutive days unexcused; 10 in a month; 15 in a year student reached "chronic" status	7 consecutive days unexcused; 10 in a month; 15 in a year student reached "chronic" status
-	-	-	-
letter mailed to parents requiring them to contact school and	letter mailed to parents requiring them to contact school and	letter mailed to parents requiring them to contact school and	letter mailed to parents requiring them to contact school and
schools may file truancy charges jointly against the student/parent for habitual truancy and will file truancy charges against the student/parent for chronic truancy in juvenile court	schools may file truancy charges jointly against the student/parent for habitual truancy and will file truancy charges against the student/parent for chronic truancy in juvenile court	schools may file truancy charges jointly against the student/parent for habitual truancy and will file truancy charges against the student/parent for chronic truancy in juvenile court	schools may file truancy charges jointly against the student/parent for habitual truancy and will file truancy charges against the student/parent for chronic truancy in juvenile court
-	-	-	-
-	-	-	-

RESCIND / DELETE

Elementary School

-

if student exceeds 20
excused/unexcused
days, the student may
be considered for
retention

Intermediate School

-

if student exceeds
excused/unexcused
days, the student may
be considered for
retention

Middle School

-

if student exceeds 20
excused/unexcused
days, the student
may be considered
for retention, summer
school, or expulsion

High School

-

if student exceeds 20
excused/unexcused
days, the student may
be considered for
expulsion

~~Adopted 9/25/00~~

~~Revised 6/11/01~~

~~Revised 5/10/04~~

~~Revised 3/8/10~~



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	New - RELEASED TIME FOR RELIGIOUS INSTRUCTION DURING THE SCHOOL DAY
Code	po5223
Status	Policy Committee
Legal	R.C. 3313.6022 Attorney General's Opinion 88-001

Revised Policy - Vol. 43, No. 2

5223 - RELEASED TIME FOR RELIGIOUS INSTRUCTION DURING THE SCHOOL DAY

The Board of Education desires to cooperate with those parents who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements of the State.

Students **shall** be provided "released time" **during the school day** to attend a course in religious instruction conducted by a private entity off District property, provided that the following requirements are met, such students will not be considered absent when the:

- A. student's parent or guardian gives consent in writing;
- B. sponsoring entity maintains attendance records and makes them available to the District;
- C. sponsoring entity provides and assumes liability for the student; and
- D. student assumes responsibility for any missed school work; ~~and~~
- E. **sponsoring entity provides current evidence of background checks for all individuals in contact with students; and**
- F. **sponsoring entity will refrain from distributing any items/materials/treats that could disrupt the integrity of the learning environment.**

Transportation of students to and from **released time** instruction is the complete responsibility of the sponsoring entity, the parent, guardian, and/or student. The Board its members, and employees are immune from liability for any injuries arising from transportation to and from **released time** instruction. Further, no Board funds will be expended for, and no District personnel shall be involved in, the provision of religious instruction.

The District shall collaborate with a sponsoring entity to identify a time for religious instruction to be offered during the school day.

[X] Students shall not be excused from a core curriculum subject course to attend released time instruction. [X] The Board deems all graded courses to be core curriculum including, but not limited to, courses that have State-approved learning standards.

Staff members shall not promote or discourage participation in release time programs for any religious instructional program.

Nothing herein shall constitute an endorsement of religion or infringe upon an individual's First Amendment rights.

R.C. 3313.6022

Attorney General's Opinion 88-001

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Book	Policy Manual
Section	Board Review February 2022
Title	GRADUATION RECOGNITIONS
Code	po5430.01
Status	First Reading
Adopted	February 14, 2000
Last Revised	April 22, 2013

5430.01 - **GRADUATION RECOGNITIONS**

The Board values excellence and wishes to instill in students the desire to do their best in their educational program. Therefore, it is the policy of the Board to recognize outstanding academic accomplishments.

Recognition

The Board recognizes the following achievements as the minimum acknowledgements at South-Western City Schools' high school graduation ceremonies at the end of each school year:

Valedictorian	- recognized at the graduation ceremony
Salutatorian	- recognized at the graduation ceremony
Top 25 (CCHS, GCHS, WHS)	- noted in graduation program and determined on the basis of academic average including cumulative grades through the final grading period of the senior year. The weighted grade system will be used.
Top 15 (FHHS)	
National Honor Society	- noted in graduation program
National Technical Honor Society	- noted in graduation program
Perfect Attendance – four years	- recognized at the graduation ceremony through the end of the final grading period
All A's – four years	- recognized at the graduation ceremony – as indicated on transcript/final grade
Diploma with Honors	- noted in the graduation program
Reserve Officers' Training Corps (ROTC) as a Senior	- recognized at the graduation ceremony

Selection

All grades, including final examinations, will be included in determining the student with the highest academic average (valedictorian) and the second highest average (salutatorian). **The weighted grade system will be used.**

Speakers

The number of speakers and the criteria for the selection of speakers shall be determined by each high school.



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - GRADUATION REQUIREMENTS
Code	po5460
Status	Policy Committee
Legal	A.C. 3301-41-01, 3301-13-01 to 07 R.C. 3302.03, 3301.07, 0710, 0711 R.C. 3313.60, 3313.61, 3313.603, 3313.611, 3313.614, 3313.615, 3313.617 R.C. 3313.618, 3313.647, 3313.903, 3313.6021, 3313.6111, 3323.08
Adopted	October 8, 1990
Last Revised	April 8, 2024

5460 - **GRADUATION REQUIREMENTS**

In order to acknowledge each student's successful completion of the instructional program, appropriate to the achievement of District goals and objectives as well as personal proficiency, the Board of Education awards a diploma to eligible students at a graduation ceremony.

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by State law and this Board or who properly completes the goals and objectives specified in the student's individualized education program (IEP) including either the exemption from or the requirement to complete the tests required by the State Board of Education in order to graduate. In addition to earning course credits, each student must show competency and readiness.

Course Credits Required for Graduation

The requirements for graduation from high school include earning 21 units of credit in grades nine (9) through twelve (12) as established in State law and this Board and fulfilling the requirements of one (1) graduation pathway that has been approved by the State.

Subject	Units Required
English Language Arts [Minimum of four (4) credits]	4
Financial Literacy [For Class of 2026 and beyond]	.5
Health [Minimum of one-half (1/2) credit]	.5
Physical Education [Minimum of one-half (1/2) credit]	.5

Mathematics [Minimum of four (4) credits] [must include one (1) unit of algebra II or equivalent of algebra II OR one (1) unit of advanced computer science. Parents must sign a written statement acknowledging that not taking algebra II might negatively impact college admissions decisions before a student may substitute advanced computer science for algebra II. Students who are enrolled in a career technical program may complete a career-based pathway math course as an alternative to algebra II or advanced computer science.) 4

Science [Minimum of three (3) credits] (must include 1 (one) unit physical sciences, one (1) unit of life sciences, and one (1) unit advanced study in one (1) or more of: chemistry, physics, other physical science, advanced biology or other life science, astronomy, physical geology or other earth or space science, computer science.) 3

Social Studies [Minimum of two (2) credits]; for students entering ninth grade after July 1, 2017, must include at least one-half (1/2) unit in world history and civilizations](must include at least one-half (1/2) unit in world history and civilizations) 3

History and Government [Minimum of one (1) credit; must include one-half (1/2) unit of American history, one-half (1/2) unit of American government]

Electives [Minimum of five (5) credits] 5.5 electives (must include one (1) or any combination of a foreign language, computer coding, business, career-technical education, family and consumer sciences, technology, agricultural education, a junior reserve officer training corps (JROTC) program approved by the U.S. Congress, or English language arts, mathematics, science or social studies courses not otherwise required) 5 or 5.5

Fine Arts, including Music [Includes all art offerings, all music offerings, Theater Production, Speech, Acting, News Broadcast, Yearbook, two related half-credit career-technical electives or successful completion of certain career-technical programs] 1

Some colleges and universities may not accept these courses as fine arts credit. Students are to see their school counselor for clarification.

All students must receive instruction in economics and financial literacy during grades -nine (9) through twelve (12). Additionally, all students must receive instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator from an approved source during grades -nine (9) through twelve (12), unless the student is exempted from such training due to disability or by written request of the parent.

(NOTE: Credit requirements in State law must still be met)

Students who have participated in interscholastic athletics, marching band, show choir, cheerleading and/or JROTC for at least two (2) full seasons, as defined in the High School Course Description handbook, while enrolled in grades nine (9) through twelve (12), and as documented by the school guidance counselor, may be excused from the high school physical education requirement. Students electing such an excuse shall complete one-half (1/2) unit of at least sixty (60) hours of instruction in another course of study which is designated by the Board as meeting the high school curriculum requirements.

Credit may be earned by:

- A. completing coursework;
- B. testing out of or demonstrating mastery of course content; or
- C. pursuing one or more educational options in accordance with the District's Credit Flexibility Program.

Credit may be earned at an accredited postsecondary institution through College Credit Plus (CCP).

Every high school may permit students below the ninth grade to take advanced work for credit. This work shall count toward the graduation requirements if it was both:

- A. taught by a person who possesses a license/certificate issued under State law that is valid for teaching high school;
- B. designated by the Board as meeting the high school curriculum requirements.

No student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.

Competency Requirements

To graduate, students must earn a "competency" score on the state Algebra I and English Language Arts II tests. Students who do not pass the test will be offered appropriate remediation and supports and will retake the test at least once. In lieu of attaining competency scores on the state tests, students can demonstrate competency by one (1) of the following:

- A. Obtain a remediation-free score in the state-designated areas on the ACT or SAT.
- B. Complete two (2) of the following options, with at least one (1) of the options being a foundational option:
 - 1. Foundational Options: obtain proficient scores on three (3) or more WebXams in a single career pathway, earn a twelve (12) point approved industry-recognized credential or group of credentials, or complete a pre-apprenticeship program recognized by the Ohio State Apprentice Council, a registered apprenticeship in the student's chosen career field, or show evidence of acceptance into an approved apprenticeship program restricted to participants eighteen (18) years of age or older.
 - 2. Supporting Options: complete a 250-hour work-based learning experience with evidence of positive evaluations, earn the required score on WorkKeys, or earn the OhioMeansJobs Readiness Seal.
- C. Enlist in the military and present evidence of a signed contract to enter a branch of the U.S. armed services upon graduation.
- D. Earn credit for a college-level math and/or college-level English course in the subject(s) not passed on the state exams through the College Credit Plus Program.

Readiness Requirements

Students must demonstrate readiness for graduation by earning at least two (2) diploma seals, one (1) of which must include a State-approved seal from the following list:

- A. Seal of Biliteracy;
- B. OhioMeansJobs Readiness Seal;
- C. Industry Recognized Credential Seal;
- D. CollegeReady Seal;
- E. Military ~~Enlistment~~ Seal;
- F. CitizenshipSeal;
- G. Science Seal;
- H. Honors Diploma Seal;
- I. Technology Seal.

The Board offers the following additional local seal(s) in accordance with adopted administrative guidelines:

- 1. Fine/Performing Arts Seal,
- 2. Student Engagement Seal,
- 3. Community Service Seal.

An honors diploma shall be awarded to any student who meets the established requirements for graduation or the requirements of - the student's IEP; attains the applicable scores on the tests required by the State Board of Education to graduate; and meets any additional criteria the State Board may establish.

Participation in commencement exercises is a privilege and not a right. Commencement exercises will include only those students who have successfully completed the requirements for graduation as certified by the high school principal or those students who have otherwise been deemed eligible to participate in such exercises. A student may be denied participation in the ceremony of graduation when personal conduct so warrants. However, no student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure.

The Board also shall grant a diploma of adult education to all District residents over the age of twenty-one (21) who meet the requirements established by the State Board of Education.

The Superintendent shall establish whatever administrative guidelines are necessary to comply with State rules and regulations. The District shall comply with all data reporting requirements regarding graduation and post-high school outcomes.

Revised 2/14/94

Revised 6/12/95

Revised 2/9/98

Revised 5/8/00

Revised 5/14/01

Revised 8/11/03

Revised 5/9/05

Revised 6/12/06

Revised 5/19/08

Revised 7/13/09

Revised 3/8/10

Revised 2/11/13

Revised 7/13/15

Revised 7/10/17

Revised 1/4/21

Revised 8/9/21

Revised 5/8/23

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - STUDENT CONDUCT
Code	po5500
Status	Policy Committee
Legal	R.C. 3313.20, 3313.534, 3313.66, 3313.661
Adopted	October 8, 1990
Last Revised	June 10, 2024

5500 - **STUDENT CONDUCT**

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community. The Board of Education has zero tolerance of violent, disruptive, or inappropriate behavior by its students.

It is the responsibility of students, teachers and administrators to maintain a classroom environment that:

- A. allows teachers to communicate effectively with all students in the class;
- B. allows all students in the class the opportunity to learn;
- C. has consequences that are fair, and developmentally appropriate;
- D. considers the student and the circumstances of the situation; and
- E. enforces the ~~s~~Student Code of Conduct/Student Discipline Code accordingly.

Academic Honesty

The Board values honesty and expects integrity in the District's students. Violating academic honesty expectations erodes the trust between teachers and students as well as compromises the academic standing of other students. So that each student learns the skills being taught and is judged solely on their own merits, the Board prohibits any student from presenting someone else's work as their own, using artificial intelligence platforms in place of one's own work, providing unauthorized assistance to another student, and cheating in any manner.

All school work submitted for the purpose of meeting course requirements must be the individual student's original work or the original work of a group of students for group projects. It is prohibited for any student to unfairly advance their own academic performance or that of any other student. Likewise, no student may intentionally limit or impede the academic performance or intellectual pursuits of other students.

Academic dishonesty includes, but is not limited to:

- A. plagiarism (of ideas, work, research, speech, art, music, etc.);
- B. forgery of another's work;
- C. presenting the results that are the product of an artificial intelligence ("AI") platform as one's own where the use of AI was not specifically allowed by the teacher as part of the assignment;
- D. downloading or copying information from other sources and presenting it as one's own;
- E. using language translation work of someone else or using technology when the expectation is doing one's own translation;
- F. copying another person's work;
- G. allowing another person to copy one's own work;
- H. stealing another person's work;
- I. doing another person's work for them;
- J. distributing copies of one's work for use by others;
- K. distributing copies of someone else's work for use by others for academic gain or advantage;
- L. intentionally accessing another's work for the purpose of presenting it as one's own for academic gain or advantage;
- M. distributing or receiving answers to assignments, quizzes, tests, assessments, etc.;
- N. distributing or receiving questions from quizzes, tests, assessments, etc.;

ARTIFICIAL INTELLIGENCE

Use of Artificial Intelligence Tools For School Work

To ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence ("AI") tools is strictly prohibited for the completion of school work. The use of AI/NLP tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Notwithstanding the preceding, students can use AI tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI tools for the following uses:

- A. Research assistance: AI tools can be used to help students quickly and efficiently identify background information, including locating relevant information and sources for their school projects and assignments, suggesting research questions, providing opposing viewpoints, identifying unseen aspects, and suggesting other perspectives.
- B. Data Analysis: AI tools can be used to help students with pattern identification and to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.
- C. Language translation: AI tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language. AI tools can also remove abstract language from a text, adjust text complexity, and provide background information about a culture to help a student understand texts.
- D. Writing assistance: AI tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. Accessibility: AI tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read

texts, and AI-powered translation tools can help students with hearing impairments understand spoken language (e.g., create transcripts or provide closed-captioning for spoken material).

When AI tools are used responsibly and effectively, they can help to supplement, not replace, traditional learning methods. If a student has any questions about whether they are permitted to use AI tools for a specific class assignment, they should ask their teacher.

In accordance with their teacher's direction, students are required to cite/identify work generated/created with the use of AI tools and explain/demonstrate how the AI tools were used in the creation of the work.

Staff and Administration have the responsibility for monitoring students' work for compliance with this policy.

Students who violate this policy are subject to disciplinary consequences. Repeated violations of this policy will result in additional disciplinary consequences in accordance with the Student Code of Conduct.

Teachers are authorized, in consultation with their Principal, to apply appropriate consequences for violations of this policy. ~~Disciplinary consequences for significant violations may include removal from the class with a failing grade, removal from student leadership positions, elimination of honors recognition, loss of membership in honor organizations, as well as other disciplinary consequences appropriate to the nature of the violation.~~

Parents shall be contacted as soon as practicable to report any alleged acts of academic dishonesty by their child.

~~Repeated violations of this policy will result in additional disciplinary consequences in accordance with the Student Code of Conduct.~~

Student and/or parent appeals of disciplinary consequences resulting from violation of this policy may be made based on the appeals process documented in the student handbook.

Students may be subject to discipline for violation of the **Student** Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct/Student Discipline Code. This **Student** Code of Conduct/Student Discipline Code shall be reviewed as needed.

A summary of this policy shall be included in the Student Handbook and the Employee Handbook.

Revised 9/13/93
Revised 2/9/98
Revised 10/18/99
Revised 5/7/18

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - TOBACCO USE PREVENTION
Code	po5512
Status	Policy Committee
Legal	R.C. 2151.87, 3313.20, 3313.47, 3313.60(A)(5), 3313.66, 3313.751 20 U.S.C. 6081 et seq., 20 U.S.C. 7182
Adopted	October 8, 1990
Last Revised	July 11, 2011

Revised Policy - Vol. 41, No. 2

5512 - ~~USE OF TOBACCO~~ TOBACCO USE PREVENTION

The Board of Education is committed to providing students, staff, and visitors with an indoor tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both the users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, or other smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

The Board prohibits the possession, consumption, purchase or attempt to purchase, and/or use of tobacco or tobacco substitute products by students at all times on Board premises, in Board-owned vehicles, within any indoor facility owned, leased, or contracted for by the Board and/or used to provide education or library services to children, and at all Board-sponsored events.

[X] This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to:

(X) school grounds,

(☒) athletic facilities, and

(☒) any school-related event,

☒] Advertising/Promotion

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

[☒ Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles, are not permitted on school grounds, in school vehicles, or at school-sponsored events.

Educational Programming

Tobacco-use prevention education shall be coordinated with the other components of the school health program. Staff responsible for teaching tobacco-use prevention education shall have adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities shall provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with effective instructional techniques and strategies and program-specific activities. Education will include instruction on the harmful effects of and legal restrictions against tobacco, nicotine, and electronic smoking devices, as part of the health education curriculum.

Enforcement

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board.

R.C. 2151.87, 3313.20, 3313.47, 3313.60(A)(5), 3313.66, 3313.751
20 U.S.C. 6081 et seq., 20 U.S.C. 7182

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~~5512—TOBACCO USE PREVENTION~~

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~~The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL," "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.~~

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Enforcement

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board.



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - ANTI-HARASSMENT
Code	po5517
Status	Policy Committee
Legal	R.C. 4112.02 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) 20 U.S.C. 1681 et seq. 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967 29 U.S.C. 794, Rehabilitation Act of 1973, as amended 29 C.F.R. Part 1635 29 U.S.C. 6101, The Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq. 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 1983 National School Boards Association Inquiry and Analysis – May 2008
Adopted	February 14, 2000
Last Revised	May 7, 2018

5517 - **ANTI-HARASSMENT**

General Policy Statement

All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment, including sexual harassment. This policy applies to unlawful conduct occurring during District operations, programs, and activities on school property or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. Any conduct prohibited by this Policy constitutes "Prohibited Conduct" for purposes of Policy 1662.01 - Compliance Officer Investigations. A single act of Prohibited Conduct may be sufficiently severe, pervasive or persistent to create an intimidating, hostile, or offensive working and/or learning

environment. The Board will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- J. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in R.C. 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with

one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Reports and Complaints of Harassing Conduct

Students and all other members of the School District community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School District community, which includes students, or third parties who believe they have been unlawfully harassed are entitled to utilize the Board's complaint process that is set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the Anti-Harassment Compliance Officer who shall investigate the allegation in accordance with Policy 1662.01 Compliance Officer Investigations. For purposes of this Policy, a single act may be sufficiently severe, persistent or pervasive to create an intimidating, hostile, or offensive learning environment, even if it would not constitute a violation under Policy 5517.01. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 5517 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates ~~the following individual~~ **an administrator** to serve as "Anti-Harassment Compliance Officer" ("Compliance Officer") for the District:

Amber Hufford
Coordinator of Student Services
614-801-3000
3805 Marlane Drive
Grove City, OH 43123
amber.hufford@swcsd.us

The name, title, and contact information of this individual will be published annually on the School District's web site ~~at <https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>~~

Complaints of Prohibited Conduct and investigations thereof will be conducted under the requirements of Policy Compliance Officer Investigations.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent/Designee shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Revised 8/04

Revised 8/11/08

Revised 3/8/10

T.C. 1/22/16

Revised 1/13/14

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REVISED POLICY - SPECIAL UPDATE - MARCH 2012

HARASSMENT, INTIMIDATION, AND BULLYING

The South-Western City School District is committed to providing a safe, positive, and productive educational environment for all students. Therefore the Board has developed this policy, in consultation with parents, District employees, volunteers, students and community members as prescribed in R.C. 3313.666. Harassment, intimidation or bullying is prohibited while on school property, on school transportation, and at school-sponsored events.

For the purposes of this policy, the Board of Education defines harassment, intimidation, or bullying as any intentional written, verbal, **electronic**, or physical act that a student exhibits toward another particular student more than once, ~~that~~ **and the behavior both** causes mental or physical harm and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student. Harassment, intimidation, and bullying also includes violence within a dating relationship. **For purposes of this policy, "electronic act" means an act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device.**

Any harassing, intimidating, or bullying incidents reported by students, parents, or staff members to the principal or designated administrator will be investigated **to the extent possible in light of the available information. Such reports may be made anonymously in writing to the principal or designated administrator. However, the submission of anonymous reports may limit the potential scope of the resulting investigation. Any student making a report in which he or she is identified may request that his or her name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The complaint will then be reviewed and reasonable action will be taken to address the situation, to the extent such action (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation, or bullying.**

Employees are required to report prohibited known incidents to the building principal or other designated administrator. The principal or other designated administrator will, in turn, document, respond to and promptly investigate any prohibited incident.

The filing of a complaint of harassment, intimidation, and bullying is a protected activity. If the complainant, victim, or offender is retaliated against, disciplinary action against the person who retaliated will be taken. Reports of retaliation are to be made in the same manner as reports of harassment, intimidation, or bullying. The principal or other designated administrator will take steps reasonably necessary to protect a victim or other person from new or additional harassment, intimidation, or bullying, and from retaliation following a report.

Any student found guilty of harassment, intimidation, or bullying may be disciplined in accordance with South-Western City Schools discipline policies, the South-Western City Schools Student Code of Conduct, and any applicable State law; however, this discipline will not infringe on any student's rights under the first amendment to the Constitution of the United States. **Students found responsible for harassment, intimidation, or bullying by an electronic act may be disciplined, up to suspension and/or expulsion.**

Students are prohibited from deliberately making false reports of harassment, intimidation, or bullying, and may be disciplined pursuant to the Student Code of Conduct for deliberately making a false report of that nature.

Any allegations of criminal misconduct will be reported to the appropriate law enforcement agency. Suspected cases of child abuse must be reported to Franklin County Children's Services or the local law enforcement agency in accordance with statute.

~~Parents or guardians~~ **The custodial parent or guardian** of any student involved in a prohibited harassment, intimidation, or bullying incident will be notified and will have access to any written reports pertaining to the prohibited incident to the extent permitted by R.C. 3319.321 (Confidentiality of Student Information) and the "Family Educational Rights and Privacy Act of 1974," (FERPA).

Suggested strategies for protecting a victim from additional harassment, intimidation, bullying, or retaliation for making such a report are outlined in the administrative guidelines for this policy.

The District Administration will provide to the President of the Board a written summary of all confirmed incidents semi-annually, and post the summary on the District web site to the extent permitted by R.C. 3319.321 (Confidentiality of Student Information) and the "Family Educational Rights and Privacy Act of 1974" (FERPA).

This policy shall appear in any student handbooks and in publications that set forth the comprehensive rules, procedures, and standards of conduct for students and schools in the South-Western City School District. **This policy and an explanation of the seriousness of bullying by electronic means shall be made available to students and their custodial parents or guardians.** Information regarding this policy shall be incorporated into any employee training materials. **Once per school year, a written statement describing this policy and the consequences for violations of this policy shall be sent to each student's custodial parent or guardian. The statement may be sent with regular student report cards or may be delivered electronically.**

Training on this policy shall be incorporated into the child abuse in-service training required by R.C. 3319.073, and training on the prevention of dating violence shall be incorporated into such training for middle school and high school employees. The Superintendent or designee shall develop curricula for these purposes.

A school district employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy and R.C. 3313.666 if that person reports an incident of harassment, intimidation, or bullying promptly in good faith and in compliance with this policy.

To the extent that state or federal funds are appropriated for this purpose, the South-Western City School District shall require that all students enrolled in the District annually be provided with age-appropriate instruction, as determined by the Board, on this policy, including a written or verbal discussion of the consequences for violations of this policy.

To the extent that State and Federal funds are appropriated for these purposes, the South-Western City School District shall provide training, workshops, or courses regarding the District's harassment, intimidation, and bullying policy to employees who have direct contact with students. Employees who participate in such training will earn any State or district mandated continuing education credits as a result of the training. ~~In addition to the extent that State and Federal funds are appropriated for these purposes, the South-Western City School District shall develop a formal process for educating students about this policy.~~

The Superintendent shall develop administrative guidelines to implement this policy including appropriate procedures for reporting, documenting and investigating complaints of harassment, intimidation, and bullying.

R.C. 3313.666 District Policy Prohibiting Harassment Required
R.C. 3313.667 District Bullying Prevention Initiatives
R.C. 3319.321 Confidentiality of Student Information
88 Stat. 571
20 U.S.C. 1232q "Family Educational Rights and Privacy Act of 1974" (FERPA)

**BOARD OF EDUCATION
SOUTH-WESTERN CITY SCHOOL DISTRICT**

STUDENTS
5517.01/page 3 of 3

Adopted 4/14/08
Revised 3/14/11

NEW POLICY - SPECIAL UPDATE II APRIL 2013

**POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS AND LIMITED USE
OF RESTRAINT AND SECLUSION**

The Board is committed to the District-wide use of Positive Behavior Intervention and Supports ("PBIS") with students. Student Personnel shall work to prevent the need for the use of restraint and/or seclusion. PBIS emphasizes prevention of student behavior problems through the use of non-aversive techniques, which should greatly reduce, if not eliminate, the need to use restraint and/or seclusion.

Professional staff members and support staff determined appropriate by the Superintendent are permitted to physically restrain and/or seclude a student, but only when there is immediate risk of physical harm to the student and/or others, there is no other safe and effective intervention possible, and the physical restraint or seclusion is used in a manner that is age and developmentally appropriate

(X) and protects the safety of all children and adults at school.

All restraint and seclusion shall only be done in accordance with this Policy, which is based on the standards adopted by the State Board of Education regarding the use of student restraint and seclusion.

Training in methods of PBIS and the use of restraint and seclusion will be provided to all professional staff and support staff determined appropriate by the Superintendent. Training will be in accordance with the State's Standards. Only school staff who are trained in permissible seclusion and physical restraint measures shall use such techniques.

Every use of restraint and seclusion shall be documented and reported in accordance with this Policy.

This Policy shall be made available to parents annually and shall be published on the District's website.

DEFINITIONS

Aversive behavioral interventions means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful, and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant, or taste.

Chemical restraint means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

- A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and
- B. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.

De-escalation techniques are strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.

Functional behavior assessment ("FBA") is a collaborative problem-solving process that is used to describe the "function" or purpose that is served by a student's behavior. Understanding the "function" that an impeding behavior serves for the student assists directly in designing educational programs and developing behavior plans with a high likelihood of success.

Mechanical restraint means any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose. Mechanical restraint does *not* mean devices used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, including:

- A. restraints for medical immobilization;
- B. adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
- C. vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Parent means:

- A. a biological or adoptive parent;
- B. a guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the State if the child is a ward of the State);
- C. an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
- D. a surrogate parent who has been appointed in accordance with Ohio Administrative Code 3301-51-05(E); or
- E. any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of the child.

Physical escort means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical restraint means the use of physical contact that immobilizes or reduces the ability of a student to move his/her arms, legs, body, or head freely. Physical restraint does *not* include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does *not* include brief physical contact for the following or similar purposes to:

- A. break up a fight;
- B. knock a weapon away from a student's possession;
- C. calm or comfort;
- D. assist a student in completing a task/response if the student does not resist the contact; or
- E. prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car).

Positive Behavior Intervention and Supports ("PBIS") means a school-wide systematic approach to embed evidence-based practice and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students. PBIS encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

Positive Behavior Support Plan means the design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.

Prone restraint means physical or mechanical restraint while the student is in the face-down position for an extended period of time.

Seclusion means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

Student means a child or adult aged three (3) to twenty-one (21) enrolled in the District.

Student Personnel means teachers, principals, counselors, social workers, school resource officers, teacher's aides, psychologists, bus drivers, bus aides, or other District staff who interact directly with students.

Timeout means a behavioral intervention in which the student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS

Positive Behavior Intervention and Supports ("PBIS") creates structure in the environment using a non-aversive effective behavioral system to improve academic and behavior outcomes for all students.

The PBIS prevention-oriented framework or approach shall apply to all students and staff, and in all settings.

PBIS shall include:

- A. school staff trained to identify conditions such as where, under what circumstances, with whom, and why specific inappropriate behavior may occur;
- B. preventative assessments that include:
 - 1. review of existing data;
 - 2. interviews with parents, family members, and students; and
 - 3. examination of previous and existing behavioral intervention plans.

- C. development and implementation of preventative behavioral interventions, and the teaching of appropriate behavior, including:
 - 1. modification of environmental factors that escalate inappropriate behavior;
 - 2. supporting the attainment of appropriate behavior; and
 - 3. use of verbal de-escalation to defuse potentially violent dangerous behavior.

The Superintendent shall develop emergency procedures for the District.

SECLUSION

Seclusion may be used only when a student's behavior poses an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion may be used only as a last resort safety intervention that provides the student with an opportunity to regain control of his/her actions. Seclusion must be used in a manner that is age and developmentally appropriate, for the minimum amount of time necessary for the purpose of protecting the student and/or others from physical harm, and otherwise in compliance with this Policy and the Ohio Department of Education's ("ODE") corresponding policy.

Seclusion shall be implemented only by Student Personnel who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student.

Additional requirements for the use of seclusion:

If Student Personnel use seclusion, they must:

- A. continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- C. remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated;
- D. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- E. complete all required reports and document their observations of the student.

Requirements for a room or area used for seclusion:

A room or area used for seclusion must provide for adequate space, lighting, ventilation, clear visibility, and the safety of the student.

A room or area used for seclusion *must not be locked* or otherwise prevent the student from exiting the area should staff become incapacitated or leave the area.

Additional prohibited seclusion practices:

Seclusion shall never be used as a punishment or to force compliance.

Seclusion shall not be used:

- A. for the convenience of staff;
- B. as a substitute for an educational program;
- C. as a form of discipline or punishment;
- D. as a substitute for less restrictive alternatives;
- E. as a substitute for inadequate staffing;
- F. as a substitute for staff training in positive behavior supports and crisis prevention and intervention;
- G. as a means to coerce, retaliate, or in a manner that endangers a student; or
- H. if it deprives the student of basic needs.

Seclusion of preschool-age children is prohibited, except that a preschool-age child may be secluded from his or her classmates, either in the classroom or in a safe, lighted, and well-ventilated space, for an amount of time that is brief in duration and appropriate to the child's age and development, if the child is always within sight and hearing of a preschool staff member.

RESTRAINT

There are different types of restraint, as defined above, including physical restraint, prone restraint, mechanical restraint, and chemical restraint. The use of restraint other than physical restraint is prohibited.

Physical restraint may be used only when the student's behavior poses an immediate risk of physical harm to the student and/or others and no other safe and/or effective intervention is possible. The physical restraint must be implemented in a manner that is age and developmentally appropriate, does not interfere with the student's ability to communicate in his/her primary language or mode of communication, and otherwise in compliance with this Policy and the ODE's corresponding policy.

Physical restraint shall be implemented only by Student Personnel who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.

Additional requirements for the use of physical restraint:

If Student Personnel use physical restraint, they must:

- A. continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control;
- C. remove the student from physical restraint immediately when the immediate risk of physical harm to the student and/or others has dissipated;
- D. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- E. complete all required reports and document their observations of the student.

Physical restraint shall not be used for punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control.

Prohibited Restraint Practices

The following restraint practices are prohibited under all circumstances, including emergency safety situations:

- A. prone restraint as defined in Executive Order 2009-13 (which defines prone restraint to mean "all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face-down position for an extended period of time");
- B. physical restraint that restricts the airway of a student or obstructs the student's ability to breathe;
- C. physical restraint that impacts the student's primary mode of communication;
- D. restraint of preschool-age students, except for holding a child for a short period of time, such as in a protective hug, so that the child may regain control;
- E. restraint that deprives the student of basic needs;
- F. restraint that unduly risks serious harm or needless pain to the student, including physical restraint that involves the intentional, knowing, or reckless use of any of the following techniques:
 - 1. using any method that is capable of causing loss of consciousness or harm to the neck or restricting/obstructing respiration in any way;
 - 2. pinning down the student by placing knees to the torso, head and/or neck of the student;

3. using pressure points, pain compliance, or joint manipulation;
 4. dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
 5. using other students or untrained staff to assist with the hold or restraint; or
 6. securing the student to another student or to a fixed object.
- G. mechanical restraint (that does not include devices used by trained Student Personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed); or
- H. chemical restraint (which does not include medication administered as prescribed by a licensed physician).

ADDITIONAL PROHIBITED PRACTICES

The following practices are prohibited under all circumstances, including emergency safety situations:

- A. corporal punishment;
- B. child endangerment as defined in Ohio Revised Code 2919.22; and
- C. aversive behavioral interventions.

FUNCTIONAL BEHAVIORAL ASSESSMENT AND BEHAVIOR INTERVENTION PLAN

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, District personnel shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, District personnel shall also develop a behavior intervention plan that incorporates positive behavioral interventions.

TRAINING AND PROFESSIONAL DEVELOPMENT

The District shall provide training as follows:

- A. All Student Personnel, as defined in this Policy, shall be trained annually on the requirements of the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion; Ohio Administrative Code 3301-51-15; and this Policy.
- B. the Superintendent, in consultation with each school building's principal
 - (X) and/or assistant principal

, shall identify which District employees should receive additional training so that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques, including the use of restraint and seclusion. District employees who receive such additional training must keep their training current in accordance with the requirements of the provider of the training.
- C. The Superintendent shall develop a plan to provide training to school personnel, as defined in this Policy, so that Positive Behavior Intervention and Supports are implemented on a District-wide basis.
 - [X] Implementation of PBIS throughout the District may be a multi-year process, with training taking place over several years.

The District shall maintain written or electronic documentation on training provided and lists of participants in each training.

Only individuals trained in accordance with this Policy in the appropriate use of restraint and seclusion may use those techniques.

MONITORING AND COMPLAINT PROCEDURES

The Superintendent shall develop a monitoring procedure to ensure that this Policy is appropriately implemented.

Any parent of a child enrolled in school in the District may submit a written complaint to the Superintendent regarding an incident of restraint or seclusion. The Superintendent shall investigate each written complaint and respond in writing to the parent's complaint within thirty (30) days of receipt of the complaint.

REQUIRED DATA AND REPORTING

Each use of restraint or seclusion shall be:

- A. documented in writing;
- B. reported to the building administration immediately;
- C. reported to the parent immediately; and
- D. documented in a written report.

A copy of the written report shall be made available to the student's parent or guardian within twenty-four (24) hours of the use of restraint or seclusion. A copy of the written report shall also be maintained in the student's file.

All written documentation of the use of restraint or seclusion are educational records pursuant to the Family Educational Right to Privacy Act ("FERPA"), and district personnel are prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with FERPA's requirements.

The Superintendent shall develop a process for the collection of data regarding the use of restraint and seclusion.

The Superintendent shall report information concerning the use of restraint and seclusion annually to the Ohio Department of Education as requested by that agency, and shall make the District's records concerning restraint and seclusion available to the staff of the Ohio Department of Education upon request.

* Adapted from the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion, adopted January 15, 2013.

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - PARENTAL STATUS OF STUDENTS
Code	po5751
Status	Policy Committee
Legal	R.C. 2151.85, 2505.073, 3321.01 et seq.
Adopted	October 8, 1990

Revised Policy - Vol. 43, No. 2

5751 - PARENTAL STATUS OF STUDENTS

The Board of Education is committed to maintaining an education environment that is free from discrimination based on sex or any other protected class factors. No student, whether married or unmarried, who is otherwise eligible to attend school in the District shall be discriminated against or denied participation in an educational program or activity solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood. Complaints of sex-based discrimination will be addressed pursuant to Board Policy 2260.

[X] The Board designates The District Title IX Coordinator to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

<https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx>

Pregnant students and students recovering from childbirth may request reasonable modifications to support their pregnancy-related needs by contacting the (X) principal (X) school counselor (X) or school nurse. In the event that a student is unable to attend school due to a pregnancy-related condition, the student will be considered on an excused absence for as long a period as is deemed medically necessary by the student's physician. At the conclusion of the absence, the student shall be reinstated to the same academic and extracurricular status that the student held when the absence began, and shall be afforded an opportunity to make up any work missed while absent.

Lactating students will be provided with a reasonable amount of time to express breast milk during the school day (X) for up to one (1) calendar year after birth of the child. An appropriate location will be provided that is suitable for expressing breast milk. The location must be shielded from view and not accessible during usage by any other person. The location provided may not be a bathroom. The (X) school nurse (X) Principal will develop a schedule for expressing breast milk based on the student's current needs. The schedule will be adjusted as the needs of the lactating student change. Students will be excused from class for scheduled breaks and will be permitted to make up any work missed. The Principal is responsible for notifying staff who may need to excuse the student from class or a scheduled activity to express breast milk.

Students will not be required to submit a doctor's note as a condition of participating in a curricular or extracurricular program or activity unless a doctor's note is required from all students who have a physical or mental condition requiring treatment by a doctor or who have been recently hospitalized for other types of medical conditions.

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~~5751~~ **PREGNANT STUDENTS**

Educational opportunities are part of the value system of a free society and education in our increasingly complex and technological society is a pre-requisite for the opportunity to lead a full and productive life. Therefore, the Board affirms the right of a pregnant student to continue her participation in the public school program.

As soon as the pregnancy is medically confirmed, the South Western City Board of Education recommends that the student consult with a member of the student personnel staff or the principal to plan her educational program.

With the staff member involved, the student may elect any of the following educational plans or suggest alternatives:

- A. She may remain in her present school program, with modifications as necessary, until the birth of her baby is imminent or until her physician states that continued participation would be detrimental to her health or that of the baby.
- B. Once it has been determined by the student's physician that the student is unable to attend school, home instruction will be available at school expense until her physician states that she is physically able to return to school.
- C. With Board approval she may temporarily withdraw from school and enroll in an approved educational program where she can continue her education.

Efforts will be made to see that the educational program of the student is disrupted as little as possible; that she receives health and counseling services, as well as instruction; that she is encouraged to return to school after delivery; and that she is given every opportunity to complete the school year.



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - STUDENT/PARENT RIGHTS
Code	po5780
Status	Policy Committee
Legal	R.C. 3109.01 20 U.S.C. 1232h
Cross References	po8310 - PUBLIC RECORDS
Adopted	October 8, 1990
Last Revised	July 11, 1994

Revised Policy - Vol. 43, No. 1

5780 - STUDENT/PARENT RIGHTS

The Board of Education recognizes that students possess not only the right to an education but many of the rights of citizenship as well.

In providing students the opportunity for an education to which they are entitled, the Board shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. At the same time, the Board recognizes that no student may be deprived of the basic right to equal access to the educational program, and **the student's** constitutional right to due process and free expression and association as appropriate for the school environment.

Attendant to the rights afforded to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the District.

Since a student who has reached the age of majority possesses the full rights of an adult, **the student** may authorize those school matters previously handled by **the student's** parents, but **the student** also assumes the responsibility for **their** performance in school, attendance, and compliance with school rules.

Parents also have rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

Parent Right to Inspect Instructional Materials

In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

The Superintendent shall, in consultation with parents, develop a procedure addressing the right of parents as described herein and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials. See AG 9130A and Form 9130 F3.

Right to Inspect Technology Provider Contract

The District shall provide parents and students with an opportunity to inspect a complete copy of each technology provider contract.

This policy shall not supercede any rights under the Family Education Rights and Privacy Act.

**[Cross Reference:
po8310]**

5780 ~~STUDENT RIGHTS AND RESPONSIBILITIES~~

~~Students, like all citizens, have rights guaranteed by the Constitution of the United States. Most often, the First Amendment—which ensures the freedom of religion, speech, press, assembly and petition—and the Fourteenth Amendment—which guarantees due process and equal protection—apply in school situations.~~

~~The rights of an individual are preserved only by the protection and preservation of the rights of others. A student is responsible for the way his/her rights are exercised and s/he must accept the consequences of any action and recognize the boundaries of his/her rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.~~

~~These statements set forth the rights of students in the public schools of the District and the responsibilities which are inseparable from these rights:~~

- ~~A. civil rights including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;~~
- ~~B. the right to attend public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;~~
- ~~C. the right to due process of law with respect to suspension and expulsion;~~
- ~~D. the right to free inquiry and expressions; responsibility to observe rules regarding these rights; and~~
- ~~E. the right to privacy, which includes privacy in respect to the student's school records.~~

~~As part of the educational process, students should be made aware of their legal rights and of the legal authority of the South Western City Board of Education to make and delegate authority to its staff to make rules regarding orderly operation of the schools.~~

~~A copy of the School Discipline Code will be posted in each of the schools and given to each student. This code describes in detail the offenses such as truancy, tardiness, property damage, etc., for which disciplinary action may be taken. Copies of the code are available for any parent in the principal's office.~~

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	New - PARENTS' BILL OF RIGHTS
Code	po5780.01
Status	Policy Committee
Legal	R.C. 3109.01, 3313.473, 3319.325, 3319.326 20 U.S.C. 1232h

New Policy - Vol. 43, No. 2

5780.01 - PARENTS' BILL OF RIGHTS

The Board of Education recognizes that parents have a fundamental right to make decisions concerning the upbringing, education, and care of their children and promotes parental involvement in the District's public school system. In addition, parents have certain rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

Sexuality Content/Mental, Emotional, or Physical Health or Well Being/Health Care Services

Definitions:

For purposes of this policy:

Parent is defined as the legal guardian of the student(s).

"Age-appropriate" and "developmentally appropriate" content refers to activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally appropriate for a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group.

"Student's mental, emotional, or physical health or well-being" includes, at a minimum, any of the following:

- A. A student's academic performance;
- B. Any significant sickness or physical injury, or any psychological trauma suffered by a student;
- C. Any harassment, intimidation, or bullying, as defined in section 3313.666 of the Revised Code, by or against a student in violation of School District policy;
- D. Any request by a student to identify as a gender that does not align with the student's biological sex;
- E. Exhibition of suicidal ideation or persistent symptoms of depression or severe anxiety, or other mental health issues.

"Sexuality content" means any **district approved** oral or written instruction, presentation, image, or description of sexual concepts or gender ideology provided in a classroom setting. "Sexuality content" does not mean any of the following:

- A. Instruction or presentations in sexually transmitted infection education, child sexual abuse prevention, and sexual violence prevention education provided under division (A)(5) of section 3313.60 or section 3314.0310 or 3326.091 of the Revised Code;
- B. Instruction or presentations in sexually transmitted infection education emphasizing abstinence provided under section 3313.6011 of the Revised Code;
- C. Incidental references to sexual concepts or gender ideology occurring outside of formal instruction or presentations on such topics, including references made during class participation and in schoolwork.

Sexuality Content and Parental Notification

~~The Board~~ District Personnel will ensure that any sexuality content is age-appropriate and developmentally appropriate for the age of the student receiving the instruction, regardless of the age or grade level of the student. ~~The Board~~ District Personnel will not permit instruction that includes sexuality content in grades kindergarten through grade three (3).

Prior to providing instruction that includes sexuality content or permitting a third party to provide such instruction on behalf of the District, ~~the Board~~ District Personnel will provide parents the opportunity to review any instructional material that includes sexuality content. Upon request of the student's parent, a student shall be excused from instruction that includes sexuality content and shall be permitted to participate in an alternative assignment.

Student Services/Mental, Emotional, Physical Health or Well-Being/Safe and Supportive Learning Environment and Parental Notification

~~The Board~~ District Personnel will promptly notify a student's parent of any substantial change in the student's services, including counseling services or monitoring related to the student's mental, emotional, or physical health or well-being or the school's ability to provide a safe and supportive learning environment for the student. Such notification will be provided by the student's building administration through email and/or telephone conference. ~~The Board~~ District Personnel will not inhibit parental access to the student's education and health records maintained by the school.

School District personnel will not directly or indirectly encourage a student to withhold from a parent information concerning the student's mental, emotional, or physical health or well-being, or a change in related services or monitoring.

School District personnel will not discourage or prohibit parental notification of and involvement in decisions affecting a student's mental, emotional, or physical health or well-being.

Procedure for Authorization From Parents for Health Care Services

Authorization of parents must be obtained by ~~the Board~~ District Personnel prior to providing any type of health care service to students, including physical, mental, and behavioral health care services. Parents may choose whether to authorize the Board to provide a health care service to the parent's child.

To facilitate parental involvement and decision-making on such authorization, at the beginning of each school year, the Board will notify parents of each health care service offered at, or facilitated in cooperation with, their student's school of attendance and of the parent's option to withhold consent or decline any specified service. If granted, parental consent to health care services does not waive the parent's right to access their child/children's educational or health records or to be notified about a change in the student's services or monitoring as set forth herein.

Prior to providing a health care service to a student, the building administration of the student's school of attendance will notify a parent whether the service is required to be provided by the School District under State law and if other options for a student to access the service exist.

These notification requirements do not apply to emergency situations, first aid, other unanticipated minor health care services, or health care services provided pursuant to a student's IEP or the District's obligation under section 504 of the "Rehabilitation Act of 1973," 29 U.S.C. 794.

Process for Resolving Parental Concerns

Parents may file written concerns with the Principal or other building administrator of the student's school of attendance regarding any topics addressed in the above Parental Rights and Parental Involvement section of this policy. Parents will be notified at the beginning of each school year of their right to file a written concern. The Principal or other building administrator will take steps with parent(s) to resolve the concern within thirty (30) days of receipt of the written concern. If not satisfied with the outcome of the resolution by the Principal or building administrator, the parent(s) may appeal a decision at that level to the Superintendent.

If a parent appeals the Principal's or building administrator's decision, the Superintendent or the Superintendent's designee will conduct a hearing on the decision. Based on the findings of that hearing, the Superintendent shall decide whether to affirm the Principal's or building administrator's decision. If the Superintendent determines not to affirm the decision, the Superintendent shall determine a resolution to the parent's concern and communicate the decision to the parent. A parent may appeal the Superintendent's decision to the Board of Education.

If the Superintendent's decision is appealed, the Board shall review the Superintendent's decision and, if the Board determines it necessary, hold a hearing on the decision and, based on that hearing, either affirm the Superintendent's decision or determine a new resolution to the parent's concern.

Nothing in this policy shall be read to prevent a parent from contacting a member of the Board regarding a concern with the operation of a school under the supervision of the Board of Education.

Parent Right to Inspect Instructional Materials

In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

The Superintendent shall, in consultation with parents, develop a procedure addressing the right of parents as described herein and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials. See AG 9130A and Form 9130 F3.

Right to Inspect Technology Provider Contract

The District shall provide parents and students with an opportunity to inspect a complete copy of each technology provider contract.

This policy shall not supersede any rights under the Family Education Rights and Privacy Act.

R.C. 3109.01, 3313.473, 3319.325, 3319.326
20 U.S.C. 1232h

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - GRANT FUNDS
Code	po6110
Status	Policy Committee
Legal	2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.113, 200.302, 200.307 2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.332, 200.343(b)&(e), 200.501-511 20 U.S.C. 7906 31 U.S.C. 3729-3733 34 C.F.R. 75.707, 76.563, 76.565, 76.707 Compliance Supplement for Single Audits of State and Local Governments
Adopted	October 9, 1989
Last Revised	May 9, 2022

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6110 - GRANT FUNDS

It is the objective of the Board of Education to provide equal educational opportunities for all District students. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the District that ~~benefit~~ **benefits** students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance the educational opportunities, the educational environment, and the physical and mental growth for each student.

The Superintendent or Designee shall review new Federal education legislation and prepare proposals for programs ~~the~~ **the Superintendent** deems would be of aid to the students of this District. The Superintendent shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school districts and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accordance with Federal regulations and guidelines.

No Federal funds received by the District shall be used to:

- A. develop or distribute materials, or operate programs or courses of instruction directed at youths, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;
- B. distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds;
- C. provide sex education or HIV-prevention education in schools unless that instruction is ~~age-appropriate~~ **age appropriate** and includes the health benefits of abstinence; or

- D. operate a program of contraceptive distribution in schools.

Grant Proposal Development

- A. All grant proposals must support at least one (1) District goal or priority.
- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Proposal Internal Review

- A. Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.

Mandatory Disclosures

The District must promptly disclose whenever they have credible evidence of a violation of Federal criminal law potentially affecting the Federal award including, but not limited to, any fraud, embezzlement, bribery, gratuity violations, identity theft, or sexual assault and exploitation, or a violation of the civil False Claims Act (2 C.F.R. 200.113) regarding the obligation to report credible information related to conduct prohibited by the Trafficking Victims Protection Act, 22 U.S.C. 7104c.

The disclosure must be made in writing to the Federal agency and the agency's Office of Inspector General, and to the pass-through entity.

Whistleblower Protections

An employee of the District may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information to the appropriate agency or individual that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract or grant. See Policy 1411/3211/4211 - Whistleblower Protection and Policy 8900 - Anti-Fraud.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, local, and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as District policies and administrative guidelines.
- B. The Superintendent is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The Superintendent is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statutes, regulations and objectives, and the terms and conditions of the grant award.
- D. The District, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls, including the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the District will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Superintendent shall require that each draw of Federal monies be aligned with the District's payment process (whether reimbursement, cash advance, or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Maintenance of Effort (MOE) and Maintenance of Equity (MOEquity) requirements of the Federal program will be met in accordance with the requirements of the specific funded program. The District shall maintain appropriate documentation and records to substantiate compliance or to justify allowable exceptions, exemptions, or waivers.

- F. The Superintendent or Designee is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.

G. Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.

H. Program reports including but not limited to audits, site visits, and final reports shall be submitted to the Superintendent for review and distribution to the Board and other appropriate parties.

Financial Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as District policies and administrative guidelines.

The District shall provide for the following:

- A. Identification of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the Assistance Listings title and number, Federal award identification number, the year the Federal award was issued, and name of the Federal agency or pass-through entity. Identification, in District accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of Federal Domestic Assistance ("CFDA") title and number, Federal award identification number and year, name of the Federal agency and name of the pass through entity, as applicable.
- B. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.
- C. Records that sufficiently identify the amount, source, and expenditure of Federal funds for Federal awards. These records must contain information necessary to identify Federal awards, authorizations, financial obligations, unobligated balances, as well as assets, expenditures, income, and interest. All records must be supported by source documentation. Records that identify adequately the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
- D. Effective control over and accountability for all over, and accountability for, all funds, property, and other assets. The District must adequately safeguard all assets and ensure assure that they are used solely for authorized purposes.

Further, the District must:

1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the District is managing the Federal award in compliance with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal award;
 2. comply with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal award;
 3. evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of the Federal award; and
 4. take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings;
 5. take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass through entity designates as sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.
- E. Reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information. This also includes information the Federal awarding agency or pass-through entity designates as sensitive or other information the District considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality. Comparison of expenditures with budget amounts for each Federal award.
 - F. Actual expenditures or outlays must be compared with budgeted amounts for each Federal award.
 - G. Recordkeeping and written procedures to the extent required by Federal, State, local, and grantor rules and regulations pertaining to the grant award and accountability, including, but not limited to, the following areas:

1. cash management in accordance with 2 C.F.R. 200.305
 2. allowability of costs in accordance with subpart E and the terms and conditions of the Federal award
 3. conflict of interest
 4. procurement
 5. equipment management
 6. conducting technical evaluations of proposals and selecting recipients
 7. compensation and fringe benefits
 8. travel
- H. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.
- I. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Audit Requirements

A single or program-specific audit (2 C.F.R. 200.514, 2 C.F.R. 200.507) is required for any year if the District expends \$1,000,000 or more in Federal awards during the District's fiscal year. When Federal awards expended are less than \$1,000,000, the District may be exempt from Federal audit requirements (2 C.F.R. 200.501) for that year. However, in all instances, the District's records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the Government Accountability Office (GAO).

The District shall:

- A. arrange for the audit required in accordance with 2 C.F.R. 200.509 and make sure that the audit is properly performed and submitted in accordance with 2 C.F.R. 200.512;
- B. prepare financial statements including the schedule of expenditures of Federal awards in accordance with 2 C.F.R. 200.510;
- C. promptly follow up and take corrective action on audit findings, including preparing a summary schedule of prior audit findings and a corrective action plan (2 C.F.R. 200.511); and
- D. provide the auditor access to personnel, accounts, books, records, supporting documentation, and any other information needed for the auditor to perform the audit.

Certifications and Records Retention

Financial reports must include a certification, signed by an official who is authorized to legally bind the District. The certification should state:

"I certify to the best of my knowledge and belief that the information provided herein is true, complete, and accurate. I am aware that the provision of false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil, or administrative consequences including, but not limited to, violations of U.S. Code Title 18, Sections 2, 1001, 1343 and Title 31, Sections 3729-3730 and 3801-3812"

Each certification must be maintained pursuant to the requirements of 2 C.F.R. 200.334. The District shall retain all Federal award records for three (3) years from the date of submission of the final financial report or longer if required by the Board-adopted retention schedule.

Program Income

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the Federal award during the grant's period of performance.

It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations, or the terms and conditions of the Federal award, program income does not include rebates, credits, discounts, and interest earned on any of them. Additionally, taxes, special assessments, levies, fines, and ~~similar other such~~ revenues raised by a recipient are not program income ~~unless the revenues are specifically identified in the Federal award or Federal awarding agency regulations as program income.~~ ~~Proceeds~~ Finally, proceeds from the sale of real property, equipment, or supplies are not program income. Finally, license fees and royalties for copyrighted material, patents, patent applications, trademarks, and inventions made under the Federal award subject to 37 C.F.R. Part 401 are not program income.

Unless ~~the District~~ has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the District uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the Federal ~~awarding~~ agency or pass-through entity.

2 C.F.R. 200.56, 200.71, 200.77, 200.80, 200.112, 200.113, 200.302, 200.307

2 C.F.R. 200.309, 200.310, 200.313, 200.318-.320, 200.332, 200.343(b)&(e), 200.501-511

20 U.S.C. 7906

31 U.S.C. 3729-3733

34 C.F.R. 75.707, 76.563, 76.565, 76.707

Compliance Supplement for Single Audits of State and Local Governments

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - INTERNAL CONTROLS
Code	po6111
Status	Policy Committee
Legal	2 C.F.R. 200.1 2 C.F.R. 200.303
Adopted	March 13, 2017

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6111 - INTERNAL CONTROLS

The Superintendent or Designee shall establish, **document**, and maintain effective internal controls over Federal awards that provide reasonable assurance that the District is managing all awards in compliance with **the U.S. Constitution, applicable** statutes, **regulations, regulations** and the terms and conditions of the awards. The District will have a process that provides reasonable assurance regarding the achievement of the following objectives:

- A. effectiveness and efficiency of operations;
- B. reliability of reporting for internal and external use; **and**
- C. compliance with applicable laws and regulations.

These internal controls should comply with the guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States or the "Internal Control-Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The internal controls must provide reasonable assurance that transactions are properly recorded and accounted for in order to permit the preparation of reliable financial statements and Federal reports; maintain accountability over assets; and demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls must also provide reasonable assurance that these transactions are executed in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal award, as well as any other Federal statutes and regulations that are identified in the Compliance Supplement. Finally, the District's internal controls must provide reasonable assurance that all Federal funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

The District shall:

- A. comply with **the U.S. Constitution**, Federal statutes, regulations, and the terms and conditions of the Federal **awardawards**;
- B. evaluate and monitor its compliance with **the U.S. Constitution**, statutes, regulations, and the terms and conditions of the award;

- C. take prompt action when instances of noncompliance are identified ~~including noncompliance identified in audit findings~~; and
- D. take reasonable ~~cybersecurity and other~~ measures to safeguard protected ~~information including protected "personally identifiable information" (PII) and other types of information. This also includes information the Federal agency or pass-through entity designates as sensitive or other information the District considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality~~ ~~"personally identifiable information" (PII) and other information the awarding agency or pass-through entity designated as sensitive or the District considers sensitive consistent with applicable Federal, State, local, and tribal laws and District policies regarding privacy and obligations of confidentiality.~~

PII is defined at 2 C.F.R. ~~200.1200.79~~ as "information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual."

However, the definition of PII is not ~~attached~~ ~~anchored~~ to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified.

Suggested Resources:

- A. "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States;
- B. "Internal Control Integrated Framework" (commonly referred to as the Green Book) issued by the Committee of Sponsoring Organizations of the Treadway Commission;
- C. "Compliance Supplement" issued by the U.S. Office of Management and Budget; and
- D. Internal control guidance issued by the U.S. Department of Education.

~~2 C.F.R. 200.61-61~~

2 C.F.R. ~~200.1200.79~~

2 C.F.R. 200.303

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - CASH MANAGEMENT OF GRANTS
Code	po6112
Status	Policy Committee
Legal	2 C.F.R. 200.305
Adopted	March 13, 2017

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6112 - CASH MANAGEMENT OF GRANTS

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Superintendent shall implement internal controls in the area of cash management.

The District's payment methods shall minimize the time elapsing between the transfer of funds from the **Federal agency** ~~United States Treasury~~ or the Ohio Department of Education & Workforce ("DEW") ~~(ODE)~~ (pass-through entity) and disbursement by the District, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The District shall use forms and procedures required by the grantor agency or pass-through entity to request payment. The District shall request grant fund payments in accordance with the provisions of the grant. Additionally, the District's financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.

The Superintendent/Designee is authorized to submit **payment requests as often as necessary when electronic fund transfers are used or at least monthly when electronic transfers are not used.** ~~See requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as deemed appropriate when electronic transfers are used, in accordance with the provisions of the~~ Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the District uses a cash advance payment method, the following standards shall apply:

- A. The timing and amount of the advance payment requested ~~must~~ **will** be as close as is administratively feasible to the actual **disbursements by the District** ~~disbursement~~ for direct program or project costs and the proportionate share of any allowable indirect costs.
- B. The District shall make timely **payments** ~~payment~~ to contractors in accordance with contract provisions.
- C. **Whenever possible, advance payment requests by the District must be consolidated to cover anticipated cash needs for all Federal awards received by the recipient from the awarding Federal agency or DEW.**
- D. ~~If to the extent~~ **available**, the District shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on **Federal** ~~such~~ funds before requesting additional cash payments.

E. The District shall account for the receipt, obligation, and expenditure of funds.

F. Advance payments will be deposited and maintained in insured accounts whenever possible.

G. Advance payments will be maintained in ~~interest-bearing~~ ~~interest-bearing~~ accounts unless the following apply:

1. The District receives less than \$~~250,000~~ ~~120,000~~ in Federal ~~funding~~ ~~awards~~ per year.
2. The best ~~reasonably~~ available interest-bearing account would not ~~reasonably~~ be expected to earn interest in excess of \$500 per year on Federal cash balances.
3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
4. A foreign government or banking system prohibits or precludes ~~interest-bearing~~ ~~interest-bearing~~ accounts.
5. ~~An interest-bearing account is not readily accessible (for example, due to public or political unrest in a foreign country).~~

H. Pursuant to Federal law and regulations, the District may retain interest earned in an amount up to \$500 per year for administrative costs. Any additional interest earned on Federal ~~funds must be returned~~ ~~advance payments deposited in interest-bearing accounts must be remitted~~ annually to the Department of Health and Human Services Payment Management System ("PMS") through an electronic medium using either ~~the~~ Automated Clearing House ("ACH") network or a Fedwire Funds Service payment. ~~Remittances shall include pertinent information of the payee and nature of payment in the memo area (often referred to as "addenda records" by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds. Pertinent details include the Payee Account Number ("PAN") if the payment originated from PMS, or Agency information if the payment originated from Automated Standard Application for Payment ("ASAP"), National Science Foundation ("NSF") or another Federal agency payment system.~~

- I. ~~All interest in excess of \$500 per year must be returned to PMS regardless of whether the District was paid through PMS. Instructions for returning interest can be found at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.~~
- J. ~~All other Federal funds must be returned to the payment system of the Federal agency. Returns should follow the instructions provided by the Federal agency. All returns to PMS should follow the instructions provided at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.~~



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - COST PRINCIPLES - SPENDING FEDERAL FUNDS
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Adopted	March 13, 2017
Last Revised	May 9, 2022

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6114 - COST PRINCIPLES - SPENDING FEDERAL FUNDS

The Superintendent/Designee is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State, and local laws, the associated agreements/assurances, program objectives, and the specific terms and conditions of the grant award.

Cost Principles

A cost is reasonable if it does not exceed an amount that a prudent person would incur under the circumstances prevailing when the decision was made to incur the cost. Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is ~~a type~~ generally recognized as ordinary and necessary for the operation ~~of the District~~ or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal, and other laws and regulations;
3. market prices for comparable ~~costs~~ goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities ~~to the District, its employees, its students or membership (if applicable), the public at large, and the Federal Government;~~ and

5. the degree to which the cost represents a deviation from the Board of Education's established written policies and procedures for incurring costs whether the cost represents any significant deviation from the established practices or Board of Education policy which may unjustifiably increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the necessary element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the District can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

1. the cost is needed for the proper and efficient performance of the grant program;
2. the cost is identified in the approved budget or application;
3. there is an educational benefit associated with the cost;
4. the cost aligns with identified needs based on results and findings from a needs assessment;
5. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the cost is goods or services involved are chargeable or assignable to that the Federal award in accordance with the relative benefit received.

This standard is met if the cost:

1. is incurred specifically for the Federal award;
2. benefits both the Federal award and other work of the District and can be distributed in proportions that may be approximated using reasonable methods; ~~or and~~
3. is necessary to the overall operation of the District and is assignable, in part, to the Federal award in accordance with these cost principles mentioned here.

- B. Conform to any limitations or exclusions set forth in the cost principles in 2 C.F.R. Part 200 or in the terms and conditions of the Federal award, including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment or as a substantial or essential component of any system or as critical technology as part of any system. Such prohibition also applies to funds generated as program income, indirect cost recoveries, or to satisfy cost share requirements.
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District.
- D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits, or offsets.

The term applicable credits refers to those transactions that offset or reduce direct or indirect costs receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; insurance refunds or rebates; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the District State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

- G. Be not included as a match or cost-share requirements of any other Federally-financed program in either the current or a prior period, unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:

1. in the case of personal services, the Superintendent/Designee shall implement a system for District personnel to account for time and efforts expended on grant-funded programs to ~~ensure~~ ~~assure~~ that only permissible personnel expenses are allocated;
 2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.
- I. Administrative closeout costs may be incurred until the due date of the final report(s). If incurred, these costs must be liquidated prior to the due date of the final report(s) and charged to the final budget period of the award unless otherwise specified by the Federal agency.

All other costs must be incurred during the approved budget period. At its discretion, the Federal agency is authorized to waive prior written approvals to carry forward unobligated balances to subsequent budget periods.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to incur financial obligations of carry-out authorized work and expend the funds awarded, including any funds carried forward or other revisions pursuant to 2 C.F.R. 200.308 the law. Prior written approval from the Federal awarding agency or State pass-through entity may be required to carry forward unobligated balances to subsequent budget periods unless waived.

Selected Items of Cost

The District shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, District staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, District, and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures:

- A. Capital expenditures for general-purpose ~~general purpose~~ equipment, buildings, and land are ~~allowable~~ ~~unallowable~~ as direct charges, but only ~~except~~ with the prior written approval of the Federal ~~awarding~~ agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$10,000 ~~5,000~~ or more have the prior written approval of the Federal ~~awarding~~ agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment ~~that which~~ materially increase their value or useful life are ~~allowable~~ ~~unallowable~~ as a direct cost but only ~~except~~ with the prior written approval of the Federal ~~awarding~~ agency or pass-through entity.
- D. All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.
- E. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 C.F.R. 200.436 and 2 C.F.R. 200.465.
- F. When approved as a direct cost by the Federal ~~awarding~~ agency or pass-through entity under Sections A-C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal ~~awarding~~ agency.
- G. The District may claim the unamortized portion of any equipment written off as a result of a change in capitalization levels by continuing to claim the otherwise allowable depreciation on the equipment, or by amortizing the amount to be written off over a period of years negotiated with the cognizant agency for indirect cost.
- H. If the District is instructed by the Federal ~~awarding~~ agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.
- I. Equipment and other capital expenditures are unallowable as indirect costs.

Statutory requirements may limit the allowability of costs. Any costs that exceed the maximum amount allowed by statute may not be charged to the Federal award. Only the amount allowable by statute may be charged to the Federal award.

Payments made for costs determined to be unallowable by the Federal agency, cognizant agency for indirect costs, or pass-through entity must be refunded (with interest) to the Federal Government.

Prior Written Approval

To avoid subsequent disallowance or dispute based on unreasonableness or nonallocability, the District may seek the prior written approval of the Federal agency (or, for indirect costs, the cognizant agency for indirect costs) before incurring the cost. The absence of prior written approval on any element of cost will not, in itself, affect the reasonableness or allocability of that cost unless prior approval is specifically required for allowability.

Cost Compliance

The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both.

Determining Whether a Cost is Direct or Indirect:

The association of costs with a Federal award (rather than the nature of the procurement transaction) determines whether costs are direct or indirect. Costs incurred for the same purpose in like circumstances must be treated consistently as direct or indirect.

- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long-distance telephone calls specific to the program, etc.). Direct costs may also include capital expenditures if approved by the Federal ~~awarding~~ agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than ~~\$10,000~~ ~~5,000~~.

If a cost benefits two (2) or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit.

- B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one (1) cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one (1) component of the District, the governing body of the District, compensation of the Superintendent, compensation of the chief executive officer of any component of the District, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Ohio Department of Education and Workforce ("DEW")~~(ODE)~~ or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

~~Equipment and other capital expenditures are unallowable as indirect costs.~~

Timely Obligation of Funds

Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions that require payment under a Federal award that will result in expenditures by a recipient or subrecipient under a Federal award. ~~This term is used when referencing a recipient's or subrecipient's use of funds under a Federal award.~~

The following list illustrates when funds are determined to be obligated under the U.S. Department of Education regulations:

If the obligation is for:

- A. Acquisition of property - on the date which the District makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the District - when the services are performed.
- C. Personal services by a contractor who is not an employee of the District - on the date which the District makes a binding written commitment to obtain the services.
- D. Performance of work other than personal services - on the date when the District makes a binding written commitment to obtain the work.
- E. Public utility services - when the District receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the District uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

Period of Performance

All financial obligations must occur during the period of performance. Period of performance means the time interval between the start and end date of a Federal award, which may include one (1) or more budget periods. Identification of the period of performance shall be specific to the Federal award and consistent with 2 C.F.R. 200.211 and does not commit the Federal agency to fund the award beyond the currently approved budget period~~Period of performance means the total estimated time interval between the start of an initial Federal award when the District is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one (1) or more funded portions or budget periods.~~ The period of performance is dictated by statute and will be indicated in the Grant Award Notification ("GAN")~~(GAN)~~. As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN. Note, however, that certain Federal awards have specific requirements that restrict the use of funds beyond the initial period of performance.

In the case of a State-administered grant, financial obligations under a grant may not be made until the application is approved or is in substantially approvable form, whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations it makes during the grant period unless an agreement exists with the ~~awarding~~ agency or the pass-through entity (e.g., ~~DEW~~~~ODE~~) to reimburse for pre-approval expenses.

If a Federal ~~awarding~~ agency or pass-through entity approves an extension, or if the District extends under C.F.R. 200.308(e)(2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a

distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the District shall liquidate all financial obligations incurred under the award not later than ninety (90) calendar days after the conclusion of the period of performance of the award (or an earlier date as agreed upon by DEW and the District) end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the District shall closely monitor grant spending throughout the grant cycle.

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Book	Policy Manual
Section	Policy Committee Jan 2020
Title	Copy of POST-ISSUANCE COMPLIANCE
Code	po6146
Status	Policy Committee
Legal	Securities Exchange Act of 1934
Adopted	March 14, 2011

REPLACEMENT

6146 - POST-ISSUANCE COMPLIANCE

PURPOSE

The South-Western City School District, Franklin and Pickaway Counties, Ohio (the "Issuer") uses bonds as one means of financing capital projects in support of its mission. This Post-Issuance Compliance Policy (the "Policy") outlines the policies and procedures to promote compliance with federal income tax and securities laws, as well as the requirements set forth in the bond documents for each bond issue. The policy is to strictly follow the U.S. Constitution and laws, the Ohio Constitution and laws, and all applicable federal and state regulations. For purposes of this policy, the terms "bonds" or "bond issue" means any obligation of the Issuer incurred for the purpose of borrowing money, including, without limitation, bonds, notes and certificates of participation in capital leases.

OUTSIDE COUNSEL

The Treasurer may, upon obtaining any necessary approvals, engage an attorney or firm of attorneys of national reputation on the subject of the federal tax and securities law of public finance to serve as "Outside Counsel" for the purpose of assisting the Issuer in the pursuit of its duties under this Policy. Outside Counsel may be bond counsel for the Issuer. Any such engagement shall be evidenced by the execution of an engagement letter or other written agreement between the Issuer and such Outside Counsel.

SECURITIES LAW MATTERS - CONTINUING DISCLOSURE

A. Continuing Disclosure Working Group. The Treasurer (the "Disclosure Officer") shall have primary responsibility for preparing the annual financial information and operating data (an "Annual Filing") to be filed with the Municipal Securities Rulemaking Board ("MSRB") via its Electronic Municipal Market Access ("EMMA") system pursuant to operative continuing disclosure undertakings (the "Continuing Disclosure Undertakings") entered into by the Issuer pursuant to Rule 15c2-12 (the "Rule") promulgated under the Securities Exchange Act of 1934, as amended. Such Disclosure Officer, together with any Outside Counsel retained by the Issuer, shall constitute the "Continuing Disclosure Working Group."

B. Annual Financial Information and Operating Data.

1. Assembling Current Information. The Disclosure Officer or the Continuing Disclosure Working Group shall compile, maintain and update a list of all financial information and operating data required to be filed with the MSRB pursuant to each of the Continuing Disclosure Undertakings, and shall establish a schedule for producing the data (and the Annual Filing document) that will afford sufficient time for final review by the Continuing Disclosure Working Group and approval in accordance with this Policy.

2. Review for Process, Accuracy, and Completeness. The members of the Continuing Disclosure Working Group shall review the Annual Filing drafts to determine whether, based on information known or reported to them, (a) this Policy was followed, (b) the material facts in the Annual Filing appear to be consistent with those facts known to the members of the Continuing Disclosure Working Group, (c) the Annual Filing contains all information required by the Continuing Disclosure Undertakings, and (d) the Annual Filing omits any material fact that is necessary to be included to prevent the Annual Filing from being misleading to investors. The Disclosure Officer or the Continuing Disclosure Working Group shall take such action as may be necessary, based on feedback from the Continuing Disclosure Working Group, to enable the Continuing Disclosure Working Group to conclude that this Policy was followed and that the Annual Filing is accurate and complete in all material respects.

3. Final Approval. The Continuing Disclosure Working Group shall approve the final draft of the Annual Filing.

4. Posting. The Disclosure Officer or the Continuing Disclosure Working Group shall file each Annual Filing with the MSRB through EMMA by the deadline established by the Continuing Disclosure Undertakings. The Disclosure Officer or the Continuing Disclosure Working Group shall exercise reasonable care to ensure that each Annual Filing is filed in the format and with the identifying information required by the Continuing Disclosure Undertakings, including applicable CUSIP numbers, in accordance with the rules and requirements of the EMMA system.

5. Documentation of Procedures. The Disclosure Officer shall compile and retain a file of the actions taken to prepare, check, and approve the Annual Filing, including the sources of the information included, the comments and actions of the Continuing Disclosure Working Group.

C. Event Notices

1. Identification of Reportable Events. The Disclosure Officer shall maintain a list of events of which the Issuer is required to provide notice to the MSRB pursuant to the Continuing Disclosure Undertakings. The Continuing Disclosure Working Group shall (a) identify the officers and employees of the Issuer who are most likely to first obtain knowledge of the occurrence of such events and (b) request in writing that they notify the Disclosure Officer immediately after learning of any such event, regardless of materiality, and repeat such request in a quarterly reminder.

2. Identification of Financial Obligations; Materiality

a. The Disclosure Officer shall undertake to identify any financial obligations, as defined in the Rule, to which the Issuer is a party and under the terms of which a default, event of acceleration, termination event, modification of terms, or other similar events could reflect financial difficulties on the part of the Issuer.

b. The Disclosure Officer shall prepare a summary sheet with respect to the financial obligations, as defined in the Rule, to which the Issuer is a party in substantially the form attached hereto as Exhibit A for the purpose of evaluating, together with the Continuing Disclosure Working Group, (i) whether the incurrence of any such financial obligation must be disclosed under the terms of any Continuing Disclosure Undertaking, or (ii) whether the agreement or amendment to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation affects the security holders of the Issuer's securities and must be disclosed under the terms of any Continuing Disclosure Undertaking.

c. The Continuing Disclosure Working Group shall establish procedures for assessing the materiality of any financial obligation (including the materiality of any agreement or amendment to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation) as well as whether a default, an acceleration or termination event, modification of terms or similar events under a financial obligation reflects financial difficulties.

3. Preparation of Event Notice. The Disclosure Officer shall assess the materiality of any reportable event with the assistance of Outside Counsel (reportable under the Continuing Disclosure Undertakings) and, if notice of the event (each an "Event Notice") must be given (or if no materiality standard applies to that particular event), prepare or cause to be prepared an Event Notice giving notice of the event, and review the draft Event Notice with the Continuing Disclosure Working Group.

4. Review and Approval of Event Notice. The Disclosure Officer shall not file an Event Notice until it is approved by the Continuing Disclosure Working Group unless the Event Notice (a) only gives notice of a rating change, bond call, or defeasance or (b) such approval has not been received by the applicable filing deadline under the Rule and the Continuing Disclosure Undertakings.

5. Posting. The Disclosure Officer or the Continuing Disclosure Working Group shall file or cause to be filed each Event Notice with the MSRB through EMMA by the deadline established by the Rule and the Continuing Disclosure

Undertakings or, if the facts cannot be correctly and fairly described by the deadline, then as soon as possible thereafter. The Disclosure Officer or the Continuing Disclosure Working Group shall exercise reasonable care to file each Event Notice in the format and with the identifying information required by the Continuing Disclosure Undertakings, including CUSIP numbers, in accordance with the rules and requirements of the MSRB's EMMA system.

6. Documentation of Procedures. The Disclosure Officer or the Continuing Disclosure Working Group shall compile and retain a file of the actions taken to report each event and prepare, check, and approve each Event Notice, including the approvals of the Continuing Disclosure Working Group, if obtained.

FEDERAL TAX LAW COMPLIANCE

A. Tax Compliance Working Group. The Treasurer (the "Tax Compliance Officer") shall have primary responsibility for complying with the requirement of federal tax law with respect the bonds of the Issuer. Such Tax Compliance Officer, together with any Outside Counsel retained by the Issuer shall constitute the Tax Compliance Working Group.

B. Procedures. The Tax Compliance Officer shall implement the following procedures in preparing, checking, or issuing the documentation described herein.

1. Proper Use of Proceeds. The Tax Compliance Officer shall ensure that bond proceeds are allocated to expenditures in a manner that is consistent with the purpose for which each bond issue is undertaken, as set forth in any tax compliance certificate or agreement related to each bond issue. The Tax Compliance Officer shall undertake to make final allocations for federal income tax purposes of the bond proceeds within 18 months after a financed facility is placed in service but in no event later than 60 days following the fifth anniversary of the issuance of each bond issue.

2. Investment of Bond Proceeds and Rebate. The Tax Compliance Officer shall ensure that bond proceeds are invested in investments that are permissible under the terms of the Ohio Revised Code, the bond documents, and any applicable federal tax laws. The Tax Compliance Officer shall determine whether it is appropriate to undertake rebate calculations with respect to the investment of proceeds of the bonds shall ensure the timely completion of arbitrage rebate calculations and filings.

3. Administration of Direct Pay Bonds. The Tax Compliance Officer shall ensure the proper administration of each issue of bonds qualifying for the payment by the federal government of a credit equal to a percentage of interest on such bonds or calculated on some other basis, including the timely completion and filing of any forms required by the Internal Revenue Service to maintain or establish the applicable status of the bonds for purposes of federal income taxation.

4. Use of Bond-Financed Facilities. The Tax Compliance Officer shall consult with Outside Counsel before entering into any agreement or other arrangement for the sale, lease, or use of bond-financed property, including, but not limited to service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements. The Tax Compliance Officer or the designee of the Tax Compliance Officer shall review such agreements for compliance with federal tax laws and complete a Private Business Use Contract Review Worksheet (attached as Exhibit B) to document that such review has been completed.

5. Post-Issuance Transactions. The Tax Compliance Officer shall consult with Outside Counsel for the Issuer before making any modifications or amendments to the bond documents for a bond issue, including, but not limited to, entering or modifying investment agreements; making any change in security for the bonds; engaging in post-issuance credit enhancement transactions (e.g., bond insurance, letter of credit) or hedging transactions (e.g., interest rate swap, cap); terminating or appointing successor trustees; releasing any liens; or reissuing the bonds.

6. Remedial Action. In the event that it is determined that any use of bond proceeds or bond-financed facilities is inconsistent with the character of the status for federal income tax purposes of the bonds, the Tax Compliance Officer shall consult with Outside Counsel for the purpose of determining the nature and extent of any remedial action necessary or proper for the Issuer to take with respect to such bonds or bond-financed facilities according to Treasury Regulations Section 1.141-12 or other remedial actions authorized by the Commissioner of Internal Revenue under 1.141.12(h).

C. Recordkeeping. Responsibility for Records Maintenance

1. The Tax Compliance Officer shall be responsible for maintaining records related to bonds of the issuer.

2. The Tax Compliance Officer shall maintain a central list of records related to each issue of bonds of the Issuer. The list shall identify:

- a. The name and date of the document related to the issue,
- b. The person or office responsible for the document, and
- c. The physical or electronic location of the document.

D. Bond Records to be Maintained

1. The following records shall be maintained for each outstanding bond issue for the term of the outstanding bond issue plus three years.

a. Basic records relating to the bond transaction, including the trust indenture, loan, lease, or other financing agreement, the relevant IRS Form 8038 (including Forms 8038-G, 8038-GC, 8038-B, or 8038-TC, as applicable) with proof of filing, and bond counsel opinion shall be maintained by the Tax Compliance Officer;

b. Documentation evidencing the expenditure of bond proceeds, such as construction or contractor invoices and receipts for equipment and furnishings, as well as records of any special allocation made for tax purposes shall be maintained by the Tax Compliance Officer;

c. Documentation evidencing the lease or use of bond-financed property by public and private sources, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements shall be maintained by the Issuer office executing such agreement for use of bond-financed property; and

d. Documentation pertaining to investment of bond proceeds, including the yield calculations for each class of investments, actual investment income received from the investment of proceeds, and rebate calculations shall be maintained by the Tax Compliance Officer's Office.

2. The Tax Compliance Officer shall maintain the Issuer's audited financial statements for not less than seven years.

TRAINING REQUIREMENTS, POLICY REVIEW AND MISCELLANEOUS MATTERS

A. Training. Within six months of becoming the adoption of this Policy, and on an as-needed basis thereafter, the Tax Compliance Officer, the Disclosure Officer and the respective designees of any of them, if any, shall undergo training regarding basic federal securities law and tax concepts relating to bonds and records required to be maintained under this Policy.

B. Annual Review. On an annual basis, or sooner if deemed necessary by the Continuing Disclosure Working Group and the Tax Compliance Working Group, shall review this policy and assess the Issuer's compliance with this Policy and shall make changes to this Policy as appropriate to ensure compliance with any covenants in the bond documents or the requirements of federal tax and securities laws and any other applicable law.

C. Miscellaneous

1. Internal Use Only. This Policy is intended for the internal use of the Issuer only and is not intended to establish any duties in favor of or rights of any person other than the Issuer.

2. Waiver of Procedures. The officers and employees charged by this Policy with performing or refraining from any action may depart from this Policy when they in good faith determine that such departure is in the best interests of the Issuer and consistent with the duties of the Issuer under applicable laws. If a Disclosure Officer or Tax Compliance Officer is charged by this Policy with taking or refraining from such action, any such departure shall require approval review of Outside Counsel.

EXHIBIT ASOUTH-WESTERN CITY SCHOOL DISTRICTFINANCIAL OBLIGATION SUMMARY SHEET

This form may be used to gather information necessary to evaluate whether a financial obligation is material and must be disclosed via the Municipal Securities Rulemaking Board's EMMA system. The information requested should be inserted below. In some cases, it may be appropriate to attach a schedule or copy the applicable section from the relevant documents.

The term *financial obligation* means a:

(A) Debt obligation; (B) Derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (C) Guarantee of either of the foregoing.

Such term does not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with SEC Rule 15c2-12.

Generally speaking, any obligation that is essentially a vehicle to borrow money (e.g., a lease-purchase agreement) should be considered a *financial obligation*.

1.	<u>Loan amount and date incurred</u>	
2.	<u>Final maturity date of the loan</u>	
3.	<u>Debt service schedule, if including principal amortization, interest rate(s), interest calculations (attach separate sheet if necessary).</u>	
4.	<u>Legal security and/ source of payment</u>	
5.	<u>Interest rate method of calculation, if variable</u>	
6.	<u>Use of loan proceeds</u>	
7.	<u>Covenants, events of defaults and remedies</u>	
8.	<u>Amortization modification provisions, or information about payment acceleration or other non-standard payment considerations</u>	
9.	<u>Any other information that an issuer believes to be important to lenders or investors in the obligations of the Issuer</u>	

EXHIBIT BSOUTH-WESTERN CITY SCHOOL DISTRICTPRIVATE BUSINESS USE CONTRACT REVIEW WORKSHEET

District Department:

Contracting Parties:

Type/Title of Agreement:

Agreement Not Subject to Private Use Limitation

Relates solely to construction of bond-financed facility

Relates to property that was not financed with proceeds of a bond issue

Does not relate to use or function of property

Includes incidental services only (janitorial, office equipment repair, or similar services)

Compensation consists solely of reimbursement of actual and direct expenses incurred by the service provider while providing services under the agreement

Agreement Satisfies Safe Harbors for Management/Service Contracts with Outside Service Providers

If the arrangement with an outside service provider is not either an "Eligible Expense Reimbursement Arrangement" or an "Other Permissible Arrangement" (both as described below), then Bond Counsel should be consulted.

Eligible Expense Reimbursement Arrangement

To be an Eligible Expense Reimbursement Arrangement, the compensation paid to the outside service provider must consist solely of reasonable overhead and the reimbursement of actual and direct expenses paid by the outside service provider to unrelated parties.

Other Permissible Arrangement

To be an Other Permissible Arrangement, **all six** of the following elements must be present:

1. Financial Requirements

Compensation payments to the service provider (including any reimbursement for actual and direct expenses paid by the service provider and related administrative overhead expenses) are reasonable compensation for services rendered during the term of the contract; and

The outside service provider does not share in the net profits of the managed facility; and

_____ The outside service provider is not forced to share net losses from the operation of the managed facility.

2. Term of the Contract

_____ The term of the contract is no longer than the lesser of (i) 30 years, or (ii) 80% of the weighted economic life of the managed property, which term is retested as of the date of any material modification of the contract.

3. Control of the Managed Property

_____ The approval of the District is required for each of the following:

_____ the annual budget of the managed property;

_____ capital expenditures with respect to the managed property;

_____ any disposition of the managed property or any portion thereof;

_____ rates charged for use of managed property (or methodology for setting such rates); and

_____ the general nature and type of use of the managed property (for example, the type of services).

4. Risk of Loss

_____ The District bears the risk of loss upon damage or destruction of the managed property.

5. Tax Position of Outside Service Provider

_____ The outside service provider expressly agrees that it is not entitled to and will not take any tax position that is inconsistent with being an outside service provider to the District with respect to the managed property.

6. Rights of the District

_____ The outside service provider does not have any role or relationship with the District that might limit the ability of the District to exercise its rights under the contract.

Agreement Requires Further Review by Bond Counsel

_____ Ownership (including agreement that transfers title at end of the term)

_____ Lease, license, or any other agreement which creates exclusive or priority rights to use any portion of a bond-financed property or which creates an economic benefit for the third-party user

_____ Agreement with governmental entity or 501(c)(3) organization

_____ Research agreement

_____ Management or service contract falling outside safe harbors listed above (provide explanation)

Reviewer: _____

Date: _____

The South Western City School District, Franklin and Pickaway Counties, Ohio (the "District") uses bonds as one means of financing capital projects in support of its mission. This Post Issuance Compliance Policy (the "Policy") outlines the policies and procedures to promote compliance with Federal income tax and securities laws, as well as the requirements set forth in the bond documents for each bond issue. The policy is to strictly follow the U.S. Constitution and laws and the Ohio Constitution and laws. For purposes of this policy, the term "bonds" means any obligation of the District incurred for the purpose of borrowing money, including, without limitation, bonds, notes and certificates of participation in capital leases.

A. Monitoring of Post-Issuance Compliance

Monitoring of post-issuance compliance for bonds will be the responsibility of the Treasurer and Assistant Treasurer (the "Compliance Officers"). The Compliance Officers may designate employees within their respective offices to carry out their duties under this policy on their behalf in the same manner and with the same effect as any similar designation for any other purpose permitted by law.

B. Compliance with Covenants in Bond Documents

The Compliance Officers shall ensure compliance with all financial and operational covenants made by the District in the bond documents, including but not limited to financial reporting, insurance requirements, the recording of mortgages, restrictions on incurring additional indebtedness, restrictions on the disposition of property, and restrictions on granting liens or encumbering property.

C. Federal Tax Law Compliance

1. Proper Use of Proceeds

The Compliance Officers shall ensure that bond proceeds are allocated to expenditures in a manner that is consistent with the purpose for which each bond issue is undertaken, as set forth in any tax compliance certificate or agreement related to each bond issue.

2. Investment of Bond Proceeds

The Treasurer shall ensure that bond proceeds are invested in investments that are permissible under the terms of the Ohio revised code, the bond documents, and any applicable Federal tax laws.

3. Arbitrage Rebate Calculations

The Treasurer shall ensure the timely completion of arbitrage rebate calculations and filings.

4. Administration of Direct Pay Bonds

The Treasurer shall ensure the proper administration of each issue of bonds qualifying for the payment by the Federal government of a credit equal to a percentage of interest on such bonds, including the timely completion and filing of any forms required by the Internal Revenue Service to maintain or establish the applicable status of the bonds for purposes of Federal income taxation.

5. Use of Bond-Financed Facilities

The Compliance Officers shall consult with Bond Counsel for the District before entering into any agreement or other arrangement for the sale, lease, or use of bond-financed property, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements. The Treasurer or the designee of the Treasurer shall review such agreements for compliance with Federal tax laws and complete a Private Business Use Contract Review Worksheet to document that such review has been completed.

6. Post-Issuance Transactions

The Treasurer shall consult with Bond Counsel for the District before making any modifications or amendments to the bond documents for a bond issue, including, but not limited to, entering or modifying investment agreements; making any change in security for the bonds; engaging in post-issuance credit enhancement transactions (e.g., bond insurance, letter of credit) or hedging transactions (e.g., interest rate swap, cap); terminating or appointing successor trustees; releasing any liens; or reissuing the bonds.

7. Remedial Action

In the event that it is determined that any use of bond proceeds or bond-financed facilities is inconsistent with the character of the status for Federal income tax purposes of the bonds, the Treasurer shall consult with the District's Bond Counsel for the purpose of determining the nature and extent of any remedial action necessary or proper for the District to take with respect to such bonds or bond-financed facilities.

D. Federal Securities Law Compliance

1. The Treasurer shall ensure compliance with all applicable Federal securities laws and regulations, including the continuing disclosure requirements of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934.

2. Make a timely report of any significant material events (as defined by the continuing disclosure agreement) related to the District's outstanding bond issues to the entities required by the bond documents.

E. Recordkeeping

1. Responsibility for Records Maintenance

- a. The Compliance Officers shall be responsible for maintaining records related to bonds of the District.
- b. The Treasurer shall maintain a central list of records related to each issue of bonds of the District. The list shall identify:

1. ~~the name and date of the document related to the issue;~~
2. ~~the person or office responsible for the document; and~~
3. ~~the physical or electronic location of the document.~~

2. **Bond Records to be Maintained**

- a. ~~The following records shall be maintained for each outstanding bond issue for the term of the outstanding bond issue plus three (3) years:~~
 1. ~~basic records relating to the bond transaction, including the trust indenture, loan, lease, or other financing agreement, the relevant IRS Form 8038 (including Forms 8038 G, 8038 B, or 8038 TC, as applicable) with proof of filing, and bond counsel opinion shall be maintained by the Treasurer's Office;~~
 2. ~~documentation evidencing the expenditure of bond proceeds, such as construction or contractor invoices and receipts for equipment and furnishings, as well as records of any special allocation made for tax purposes shall be maintained by the Treasurer's Office;~~
 3. ~~documentation evidencing the lease or use of bond-financed property by public and private sources, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements shall be maintained by the District office executing such agreement for use of bond-financed property; and~~
 4. ~~documentation pertaining to investment of bond proceeds, including the yield calculations for each class of investments, actual investment income received from the investment of proceeds, and rebate calculations shall be maintained by the Treasurer's Office.~~
- b. ~~The Treasurer shall maintain the District's audited financial statements for not less than seven (7) years.~~

F. **Bond Counsel Review**

~~The Treasurer may engage Bond Counsel to assist in implementing this policy, including, but not limited to, assistance in the following areas:~~

1. ~~rebate calculations and compliance;~~
2. ~~records retention;~~
3. ~~periodic review of the central list of records related to bonds for compliance with Federal tax laws regarding private business use;~~
4. ~~other Federal tax law compliance, including any annual reporting requirements that may be imposed by the Internal Revenue Service; and~~
5. ~~Federal securities law compliance.~~

G. **Training Requirements**

~~Within six (6) months of becoming a Compliance Officer, and on an annual basis thereafter, the Compliance Officers and their designees shall undergo training regarding basic Federal tax concepts relating to bonds and records required to be maintained under this policy.~~

H. **Annual Policy Review**

~~On an annual basis, or sooner if deemed necessary by the Compliance Officers, the Compliance Officers shall review this policy and assess the District's compliance with this policy. The Compliance Officers shall make changes to this policy as appropriate to ensure compliance with any covenants in the bond documents or the requirements of Federal tax and securities laws and any other applicable law.~~



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - INSUFFICIENT FUNDS CHECKS
Code	po6151
Status	Policy Committee
Adopted	December 8, 2003

Revised Policy - Vol. 43, No. 2

6151 - ~~INSUFFICIENT FUNDS~~ BAD CHECKS

When the District receives a check which is not honored upon presentation to the respective bank or other depository institution, the Treasurer/CFO is authorized to take appropriate action from a student or parent that, when deposited, is returned marked "insufficient funds", the Treasurer shall provide an opportunity for the payer to make proper payment or to arrange for a satisfactory payment schedule. If payment is not received within thirty (30) days, the payment schedule is not adhered to, or the monies do not appear to be collectable, the Board of Education authorizes the Treasurer to remove the fee or charge from the District's Accounts Receivable and to take appropriate action against the payer student and/or the parents. The payer may be charged any cost charged by the District's banking institution for a returned check.

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Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - PROCUREMENT - FEDERAL GRANTS/FUNDS
Code	po6325
Status	Policy Committee
Legal	2 C.F.R. 200.317 - .326, Appendix II to Part 200 2 C.F.R. 200.334 - 200.336 2 C.F.R. 200.520 R.C. 3313.843 - 3313.846
Adopted	March 13, 2017
Last Revised	May 8, 2023

Revised Policy - Vol. 43, No. 1 - UGG/EDGAR Revisions

6325 - PROCUREMENT - FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board of Education policies, and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200.317-.326), including affirmative steps for small **businesses, and minority businesses, and women's business enterprises, veteran-owned businesses, and labor surplus area firms,** for the administration and management of Federal grants and Federally-funded programs. The District shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's documented general purchasing Policy 6320 and AG 6320A.

When required by Federal program legislation, all Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3113, and Policy 4113 - Conflict of Interest.

The District will avoid acquisition of unnecessary or duplicative items. **Consideration** Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase and, where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. **When appropriate, an analysis shall be made between leasing and purchasing property or equipment to determine the most economical approach.** These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

Competition

All procurement transactions ~~under the for the acquisition of property or services required under a~~ Federal award paid for from Federal funds or District matching funds shall be conducted in a manner that ~~provides encourages~~ full and open competition and that is in accordance with ~~2 C.F.R. Part 200,~~ good administrative ~~practice, practice~~ and sound business judgment. ~~To ensure In order to promote~~ objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, ~~or invitations for bids bids, or requests for proposals~~ from competition for such procurements.

~~Examples of situations that may restrict competition include, but are not limited to Some of the situations considered to be restrictive of competition include, but are not limited to, the following:~~

- A. unreasonable requirements on firms ~~in order~~ for them to qualify to do business
- B. unnecessary experience and excessive bonding requirements
- C. noncompetitive pricing practices between firms or between affiliated companies
- D. noncompetitive contracts to consultants that are on retainer contracts
- E. organizational conflicts of interest
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement
- G. any arbitrary action in the procurement process

~~Further, the District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or 2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.~~

To the extent that the District uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources ~~as~~ to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list annually.

The District shall require that all prequalified lists of persons, firms, or products which are used in ~~procurement transactions are current and include enough qualified sources to provide maximum open competition. When establishing or amending prequalified lists, the District (or subrecipient) must consider objective factors that evaluate price and cost to maximize competition acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition.~~ The District shall not preclude potential bidders from qualifying during the solicitation period.

~~To the extent consistent with established practices and legal requirements applicable to the recipient or subrecipient, this subpart does not prohibit recipients or subrecipients from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections. This subpart also does not prohibit recipients and subrecipients from making inquiries of bidders about these subjects and 2 C.F.R. Revisions 2024: Unofficial Comparison Version assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.~~

Solicitation Language (Purchasing Procedures)

The District shall have written procurement procedures ~~(in accordance with 2 C.F.R 200.319(d))~~ that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the ~~property, equipment, or service being procured material, product, or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition.~~ The description may include a statement of the ~~property, equipment, qualitative nature of the material, product, or service to be procured. When necessary, the~~

~~description must and, when necessary, shall~~ set forth those minimum essential characteristics and standards to which ~~the property, equipment, or service shall conform~~ ~~it shall conform if it is to satisfy its intended use~~. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to ~~clearly and accurately describe~~ ~~make a clear and accurate description of~~ the technical requirements, a "brand name or equivalent" description ~~of features to provide procurement requirements may be used~~. The specific features of the named brand must be clearly stated and the District must identify any additional ~~requirements which the offerors must fulfill and all other factors that will be used in evaluating bids or proposals may be used as a means to define the performance or other salient requirements of procurement~~. The specific features of the named brand which shall be met by offers shall be clearly stated and identify all requirements which the offerors shall fulfill ~~and all other factors to be used in evaluating bids or proposals~~.

The Board will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The District shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

A. Informal Procurement Methods

~~Informal procurement methods for small purchases expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when~~ ~~When the value of the procurement transaction for property or services under a Federal award does not exceed the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are not required. The District may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal~~ ~~procurement~~ ~~methods used for procurement of property or services at or below the simplified acquisition threshold include:~~

1. Micro-Purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the ~~maximum~~ extent practicable, the District should distribute micro-purchases equitably among qualified suppliers.

Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable based on research, experience, purchase history, or other relevant information, and ~~maintains documents to support its conclusion~~ ~~documents are filed accordingly~~. The District shall maintain evidence of this reasonableness in the records of all purchases made by this method.

2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$250,000. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

Districts are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations ("~~FAR~~") (~~FAR~~). When applicable, a lower simplified acquisition threshold used by the ~~District non Federal entity~~ must be authorized or not prohibited under State, local, or tribal laws or regulations.

B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than \$250,000 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility, the cost of which will exceed \$50,000.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders ~~have been identified as~~ are willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally ~~based on the basis of~~ price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids ~~must define the items or services with specific information, including any required specifications, for the bidder to properly respond~~ will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm fixed-price contract ~~is awarded~~ award will be made in writing to the lowest ~~responsive bid~~ and responsible bidder. ~~When specified in the invitation for bids~~ Where specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts ~~must~~ may only be used to determine the low bid when ~~the District determines they are a valid factor based on~~ prior experience ~~indicates that such discounts are usually taken~~.
- e. The Board reserves the right to reject any or all bids ~~but must document and provide a justification for all bids it rejects~~ for sound documented reason(s).

2. Proposals

Procurement by proposals is a method in which either a fixed-price or cost-reimbursement ~~type~~ contract is awarded. ~~This method is~~ Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

- a. Requests for proposals ~~require public notice and must~~ shall be publicized and identify all evaluation factors and their relative importance. ~~To the maximum extent practicable, any proposals submitted in response to the public notice must be considered~~ Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from an adequate number of sources.
- c. The District ~~must have written procedures~~ shall use its written method for conducting technical evaluations ~~and for making selections of the proposals received and for selecting recipients~~.
- d. Contracts ~~must~~ shall be awarded to the responsible ~~offeror~~ firm whose proposal is most advantageous to the ~~District considering price and other factors~~ program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby ~~the~~ competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where ~~the~~ price is not used as a selection factor, can only be used ~~to procure~~ in procurement of

A/E professional services. ~~The method~~ It cannot be used to purchase other ~~types of services~~ provided by ~~though~~ A/E firms ~~that~~ are a potential source to perform the proposed effort.

3. Noncompetitive Procurement

Procurement by noncompetitive proposals ~~allows for solicitation of a proposal from only one (1) source and~~ may be used only when one (1) or more of the following circumstances apply:

- a. ~~the aggregate amount of the procurement transaction does not exceed the micro-purchase threshold~~ ~~micro-purchases~~;
- b. ~~the procurement transaction can only be fulfilled by~~ ~~the item is available only from~~ a single source;
- c. the public exigency or emergency for the requirement will not permit a delay resulting from ~~providing public notice of~~ ~~publicizing~~ a competitive solicitation;
- d. ~~the District requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District~~
- e. after ~~soliciting several~~ ~~solicitation of a number of~~ sources, competition is determined to be inadequate.

4. Noncompetitive Purchases Through Educational Service Centers (ESCs)

Under State law, the Board may enter into a contract with an educational service center ("~~ESC~~") (~~ESC~~) that authorizes the ESC to make purchases for supplies, materials, equipment, and services or the delivery of services on the District's behalf. These contracts promote operational efficiency and cost savings, and further enhance the educational experience for our students. Purchases made through such contracts are exempt from competitive bidding.

The District may apply for approval from ~~the Department of Education and Workforce ("DEW")~~ ~~ODE~~ to use a noncompetitive purchasing method to procure personnel-based services from an ESC only when the following criteria are met:

- a. the ESC posts a list of all services it provides, including costs of these services, on its website;
- b. the ESC has been designated as "high performing" by the ~~DEW~~ ~~Ohio Department of Education~~; and
- c. ~~DEW~~ ~~ODE~~ as the pass-through state entity has determined that the ESC was substantially in compliance with all audit rules and guidelines during the most recent audit conducted by the Auditor of State.

The Treasurer/CFO will submit an application and any required documentation to ~~DEW~~ ~~ODE~~ on the designated form requesting approval for use of a noncompetitive purchasing method for personnel services. Purchases will not be made until the application is approved. Notice of approval will be maintained by the Treasurer/CFO.

Domestic Preference for Procurement

~~The District should~~ ~~As appropriate and to the extent consistent with law, the District shall~~, to the extent practicable ~~and consistent with law~~ ~~under a Federal award~~, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all ~~subawards, contracts, subawards~~ ~~including all contracts~~ and purchase orders ~~for work or products~~ under the Federal award.

Procurement of Recovered Materials

The District must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6962. These requirements include:

- A. ~~procuring only items designated in the guidelines of the Environmental Protection Agency ("EPA") at 40 C.F.R. part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000;~~

- B. procuring solid waste management services in a manner that maximizes energy and resource recovery; and
- C. establishing an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

The District should, to the greatest extent practicable and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable.

This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products.

Contract/Price Analysis

The District shall perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the Simplified Acquisition Threshold (currently \$250,000). The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the District should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the District must make independent estimates before receiving bids or proposals in connection with every procurement action in excess of \$250,000, including contract modifications.

A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements. The District must not use the "cost plus a percentage of cost" and "percentage of construction costs" methods of contracting.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that the costs incurred or cost estimates included in negotiated prices would be allowable for the District according to cost principle requirements. The method and degree of analysis are dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Time and Materials Contracts

The District uses a time-and-materials type contract only 1) after a determination that no other contract is suitable, and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time-and-materials type contract means a contract whose cost to the District is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Because this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The District will award contracts only to responsible contractors that possess the ability to perform successfully under the terms and conditions of the proposed contract procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as 1) contractor integrity; 2) compliance with public policy; 3) compliance; 4) proper classification of employees; 5) record of past performance; and 6) 4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The District is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.

Suspension is an action taken by the District that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart G)

~~Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)~~

The District shall not subcontract with or award subgrants to any person or company that is debarred or suspended. For contracts over \$25,000, the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors, at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

Bid Protest

The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the ~~awarding~~ agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals ("~~RFPs~~") (~~RFPs~~) or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The District shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Records Retention

The District must retain all Federal award records for three (3) years from the date of submission of the final financial report, or as otherwise required pursuant to the Board-adopted records retention schedule, whichever is longer. For awards that are renewed quarterly or annually, the District must retain records for three (3) years from the date of submission of the quarterly or annual financial report, respectively, or as otherwise required pursuant to the Board-adopted records retention schedule, if longer. Records to be retained include, but are not limited to, financial records, supporting documentation, and statistical records. Other records retention requirements shall be in accordance with 2 C.F.R. 200.334 and the Board-adopted records retention schedule.

The District must collect, transmit, and store Federal award information in an open file, non-licensed, and machine-readable formats. The District may substitute electronic versions of original paper records through duplication or other forms of electronic conversion, provided that the procedures are subject to periodic quality control reviews. Quality control reviews must ensure that electronic conversion procedures provide safeguards against the alteration of records and assurance that records remain in a format that is readable by a computer system.

2 C.F.R. 200.317 - .326, Appendix II to Part 200

~~2 C.F.R. 200.334 - 200.336~~

2 C.F.R. 200.520

R.C. 3313.843 - 3313.846

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Book	Policy Manual
Section	January 2025 Policy Revisions
Title	Revised - VENDOR RELATIONS
Code	po6460
Status	Policy Committee
Legal	R.C. 2909.33, 3319.321, 3319.325, 3319.326, 3319.391, 3319.392 Auditor's Bulletin 2000-006 Family Educational Rights and Privacy Act, 20 U.S.C. 1232g Ohio Ethics Commission Opinion No. 2011-08 (effective Nov. 3, 2011)

Revised Policy - Special Update - SB 29

6460 - VENDOR RELATIONS

The Board of Education shall not enter **into** a contract knowingly with any supplier of goods or services to this District under which any Board member or officer, employee, or agent of this School District has any pecuniary or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any educational material of which **the person** is the author and which has been properly approved for use in the schools of this District.

Board members and school personnel shall not accept any form of compensation from vendors that might influence their recommendations on the eventual purchase of equipment, supplies, or services. Furthermore, Board members and school personnel shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, Board members or school personnel who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual board member or member of the school staff receives compensation in any form for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member or member of the school staff receives such compensation, albeit unsolicited, from a vendor, the Board member or school staff member shall notify the Treasurer, in writing, that **they** received such compensation and shall thereafter promptly transmit said compensation to the Treasurer at **their** earliest opportunity.

Nothing herein shall prevent a school employee, who is not in a position to negotiate or authorize a contract with a vendor, from accepting a discount on goods purchased for personal use from a vendor with whom the Board does business (i.e., that has a contract with the Board) provided the vendor (a) extends the same discount to all of its customers and does not limit it to officials and employees of the District, (b) offers a uniform discount to all eligible school officials and employees, without limiting the offer to employees with official duties or responsibilities affecting the vendor's financial interest, and (c) does not offer the discount to school officials and employees in exchange for the performance of their public duties. Board members and/or school personnel who negotiate or authorize a vendor's contract are prohibited from accepting any discount offered by the vendor for **their** personal use. Such individuals also shall not suggest that the vendor offer an employee discount as part of the public contract.

All sales persons, regardless of the product, shall make contact clear with the Superintendent's office before contacting any teachers, students, or other personnel of the School District. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with the policies of the Board on the basis of quality, price, and delivery with past service as a factor if all other considerations are equal.

Requirements for Certain Technology Provider Contracts

Any person or entity who contracts with a School District to provide a school-issued device for dedicated student use and creates, receives, or maintains education records pursuant or incidental to its contract with the District must meet certain requirements as outlined in State law. For the purpose of this policy, these individuals/entities are referred to as "technology providers." The term "technology provider" does not include a county board of developmental disabilities, educational service centers, information technology centers, assessment providers, curriculum providers, or a city, local, or exempted village school district that the District contracts with to provide school-issued devices to students unless otherwise indicated.

For the purpose of this policy, the term "school-issued device" includes hardware, software, devices, and accounts that the District or technology provider, at the direction of the District, provides to an individual student for dedicated their dedicated personal student use.

As a condition of doing business with the District, technology providers who maintain education records as part of their contract to provide school-issued devices are required to comply with Chapter 1347 of the Revised Code to the same extent that the District is with regard to the collection, use, and protection of the records. Upon discovering that any of the District's education records are subject to a breach of security, a technology provider must promptly notify the District and provide all of the information that the District needs to notify individuals whose personal information has been compromised as required by R.C. 1347.12. All education records created, received, maintained, or disseminated by a technology provider remain the sole property of the District. Unless renewal of the contract is reasonably anticipated, all education records must be returned to the District or destroyed using industry-standard destruction protocols within ninety (90) days of the contract's expiration. Technology providers are prohibited from selling, sharing, or disseminating education records unless part of a valid delegation or assignment of its contract, or unless State law otherwise authorizes such action. Technology providers may not use education records for commercial purposes, including for marketing or advertising goods or services to students or parents. Technology providers may use education records which have been stripped of all personally identifiable information for the purposes of improvement, maintenance, development, support, or diagnosis of its site, services, or operations.

All contracts between the District and technology providers must ensure that appropriate industry-recognized security measures are used to safeguard education records. Contracts must also include provisions that technology providers will 1) only grant access to education records to those employees and contractors who need access to fulfill their official duties; and 2) will take measures to restrict unauthorized access of education records by employees and contractors.

By August 1st each school year, the District will provide parents and students with direct and timely notice by mail, electronic mail, or another method of direct communication of any contracts the District has with any provider of curriculum, testing, or assessment technology that affects a student's education records (including those entities which are not otherwise defined as technology providers under this policy). The notice will:

- A. identify each curriculum, testing, or assessment technology provider with access to education records;
- B. identify the education records affected by the curriculum, testing, or assessment provider contract;
- C. notify parents and students that they may request an opportunity to inspect a complete copy of any contract; with a technology provider; and
- D. provide contact information for the school department or employee that a parent or student should direct any questions or concerns regarding any program or activity that allows curriculum, testing, or assessment technology provider access to a student's education records.

Criminal Background Checks

In accordance with State law, Policy 4121, and Policy 8142, a criminal background check is required of any non-teaching employee, including individuals employed by a private company/vendor under contract with the Board to provide essential school services, who will work within the District in a position which does not require a license issued by the State Board of Education, is not for the operation of a vehicle for student transportation, but does involve routine interaction with a child or regular responsibility for the care, custody, or control of a child.

R.C. 2909.33, 3319.321, 3319.325, 3319.326, 3319.391, 3319.392
Auditor's Bulletin 2000-006
Family Educational Rights and Privacy Act, 20 U.S.C. 1232g
Ohio Ethics Commission Opinion No. 2011-08 (effective Nov. 3, 2011)

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - FACILITIES PLANNING
Code	po7100
Status	Policy Committee
Legal	R.C. 3313.94 A.C. 3301-51, 3301-35-03 (C)
Adopted	October 9, 1989

7100 - **FACILITIES PLANNING**

The Board of Education recognizes that careful, prudent planning is essential to the efficient operation of the schools and that planning must be grounded on accurate data. In order to assure that future District construction supports the educational program and responds to community needs, the Board will prepare a capital construction plan and will revise that plan periodically thereafter. The plan shall include a thorough description and analysis of local and regional demographic factors which influence general population growth and public school enrollments.

In order to apprise the Board of the continuing relevance of the Board's capital construction plan, the Superintendent shall:

A. (☒) annually report to the Board on the:

1. (☒) number of resident students attending school;

B. (☒) report to the Board on the enrollment by grades during the school year (☒) annually;

C. (☒) prepare student enrollment projections every (☒) year and compare the actual enrollment figures to the previously projected figures to detect early, for the benefit of the Board, any changes in enrollment trends.

In planning for the enlargement or modification of its facilities, the Board shall consider not only the number of children whose educational needs must be met, but also the physical requirements of the program it deems best suited to meet those needs. The District shall provide suitable accommodations to carry out the educational program of the school including provision for the disabled, pursuant to law and regulation.

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~~7100~~ **FACILITIES PLANNING**

~~The South Western City Board of Education is responsible for the regular operation and orderly development of its physical plant. For this reason, the Board will concern itself with both short and long range planning as it relates to the properties of the School District.~~

~~The Board will follow a long term building program to serve as a guide for capital improvements. This program will be subject to systematic study, revision and extension.~~

The Board of Education building program will be designed to provide adequate facilities to conduct educational programs for all students residing in the District. The building program will be based upon specific Board policies that have been and will continue to be modified to conform to changes in the curriculum, availability of construction funds, changes in enrollments and the results of annual evaluation of facilities. The Board will establish priorities using these and other relevant factors.

Facilities Development Goals

The South Western City Board of Education believes that any educational program is influenced greatly by the environment within which it functions. The development of a quality educational program and school facilities that help to implement it must go hand in hand.

It is this Board's goal to provide the facilities needed for the number of students in the District; to provide the kind of facilities that will best support and accommodate the educational program; and to develop a long range planning and evaluation program.

The Board recognizes that capital outlay funds are limited and that it must establish priorities in order to make the best use of the school building dollar. The Board will develop a plan that eliminates any overcrowding. Whenever possible, the cultural as well as educational needs of the community will be considered in planning facilities expansions.

Architects employed by the Board will be expected to plan for simplicity of design; sound economics (including low long-range maintenance costs) efficiency in energy needs; low insurance rates; high educational utility and flexibility.



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	New - RESTROOMS, LOCKER ROOMS, SHOWER ROOMS AND CHANGING ROOMS
Code	po7421
Status	Policy Committee
Legal	R.C. 3319.90

New Policy - Vol. 43, No. 2

7421 – RESTROOMS, LOCKER ROOMS, SHOWER ROOMS AND CHANGING ROOMS

~~The Board of Education~~ District Personnel will provide appropriate restrooms, locker rooms, shower rooms, and changing rooms for students, employees, and visitors in accordance with this policy.

Definitions

For purposes of this policy, the following definitions apply:

“Biological sex” means the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads, and non-ambiguous internal and external genitalia present at birth, without regard to an individual’s psychological, chosen, or subjective experience of gender. A birth record that is issued at or near the time of an individual’s birth may be used to prove the biological sex of an individual.

“Family facility” means a family restroom or shower room that does not have more than one (1) toilet or shower.

“Multi-occupancy facility” means a restroom, locker room, changing room, or shower room that is accessible to multiple individuals at the same time. This term does not include family facilities.

Gender Designation of Multi-occupancy Facilities

~~The Board~~ District Personnel will designate for the exclusive use of the male or female biological sex each student restroom, locker room, changing room, or shower room that is accessible by multiple students at the same time which is located in a school building or a facility used by the school for a school-sponsored activity.

~~The Board~~ District Personnel will not construct, establish, or maintain a multi-occupancy facility that is open to all genders. However, this policy does not prohibit the Board from constructing, establishing, or maintaining a family facility.

Permissible Access of Multi-occupancy Facilities by the Opposite Biological Sex

An individual of the opposite biological sex may access a multi-occupancy facility in the following circumstances:

- A. A parent, guardian, or family member who is assisting a child under the age of ten (10), or a child under the age of ten (10) who is being assisted by a parent, guardian, or family member;
- B. A person with a disability who is being assisted by another person, or an individual who is assisting a person with a disability;

- C. A school employee whose job duties require them to enter a multi-occupancy facility that is designated for use by the opposite biological sex;
- D. An individual who enters a multi-occupancy facility designated for the use by the opposite biological sex because they reasonably believe that they are responding to a legitimate emergency situation.

Accommodations for Special Circumstances

~~The Board~~ District Personnel may provide accommodations at the request of a student due to special circumstances. Accommodations may include the use of single-occupancy facilities or controlled use of faculty facilities.

Violations of this Policy

Any student who willfully enters a multi-occupancy facility designated for use by the opposite biological sex for a purpose other than what is considered permissible pursuant to this policy, and refuses to leave when asked to do so by school personnel, is subject to discipline in accordance with the Student Code of Conduct.

Employees who willfully enter a multi-occupancy facility designated for use by the opposite biological sex for a purpose other than what is considered permissible pursuant to this policy, and refuses to leave when asked to do so by administrative personnel, are subject to discipline, up to and including termination of employment.

R.C. 3319.90

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - TOBACCO USE PREVENTION
Code	po7434
Status	Policy Committee
Legal	A.C. 3701-52 R.C. 2923.12, 3313.20, 3313.47, 3313.751, 3794 et seq. 20 U.S.C. 6081 et seq., 20 U.S.C. 7182 U.S.D.O.E. Memorandum, 1995
Adopted	October 8, 1990
Last Revised	July 11, 2011

Revised Policy - Vol. 41, No. 2

7434 - ~~USE OF TOBACCO ON SCHOOL PREMISES~~ TOBACCO USE PREVENTION

The Board of Education is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

The Board prohibits the use of tobacco, nicotine, or tobacco substitute products at all times within any enclosed facility owned, leased, or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to

(X) school grounds,

- (☒) athletic facilities, and
- (☒) any school-related event,
- (☒) and in designated areas as defined in statute and by Ohio's Smoke-Free Workplace Program.

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

[☒] Advertising/Promotion

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

[☒] Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles, are not permitted on school grounds, in school vehicles, or at school-sponsored events.

[☒] Notice and Postings

Signage and other notices and postings shall be as required by R.C. 3794.06 and as provided by the Ohio Department of Health.

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~~7434~~ TOBACCO USE PREVENTION

The Board of Education is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, are well established. Further, providing a non-smoking and tobacco free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

The Board prohibits the use of tobacco, nicotine, or tobacco substitute products at all times within any enclosed facility owned, leased, or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board owned and/or operated vehicles used to transport students and to all other Board owned and/or operated vehicles. Such prohibition also applies to school grounds, athletic facilities, and any school related event.

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

Notice and Postings

Signage and other notices and postings shall be as required by R.C. 3794.06 and as provided by the Ohio Department of Health.

Revised ~~11/20/95~~

Revised ~~12/10/07~~

Revised ~~7/11/11~~



Book	Policy Manual
Section	JUNE 2021 POL COMMITTEE
Title	EDGAR Revisions - January 2021 Revised ACCOUNTING SYSTEM FOR CAPITAL ASSETS
Code	po7455
Status	Policy Committee

NEW

7455 - ACCOUNTING SYSTEM FOR CAPITAL ASSETS

The Board of Education shall maintain a capital asset, accounting system. The capital asset system shall maintain sufficient information to permit the following:

- A. the preparation of year-end financial statements in accordance with generally-accepted, accounting principles
- B. adequate insurance coverage
- C. control and accountability

Capital assets are defined as those tangible assets of the District with 1.) a useful life in excess of five (5) years; 2.) an initial cost equal to or exceeding the amount determined annually in the District's administrative guidelines; 3) which are capitalized in accordance with GAAP; and 4) which the District intends to hold or continue in use over an extended period of time. If a single item does not meet the threshold amount, but is typically purchased in aggregate by the District, the Treasurer shall verify which items shall be classified as capital assets and recorded at the time of purchase or acquisition. Further, some items may be identified as "controlled" assets that, although they do not meet all capital asset criteria, are to be recorded on the capital asset system to maintain control.

Capital assets shall be classified as follows:

- A. land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, exchange, or through a lease accounted for as financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards, and
- B. additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance)

Leased capital assets and assets which are jointly-owned shall be identified and recorded on the capital asset system.

Capital assets shall be recorded at actual, or if not determinable, estimated purchase price or fair market value at the time of acquisition. The method(s) to be used to estimate such price or market value shall be established by the Treasurer.

The Superintendent/Designee shall develop administrative guidelines to address the proper purchase, transfer, and disposal of capital assets. Such assets shall be disposed of in such a manner as will be in the public interest and benefit the District

(see Policy 7300 and Policy 7310).

The Treasurer shall verify whether an expense should be recorded as an improvement to a capital asset or maintenance cost. An improvement of a capital asset significantly increases its value, life or capacity to serve, and should be capitalized and depreciated over its life. Maintenance restores a capital asset to its original level of service and should not be capitalized.

Depreciation is the allocation of the cost of a capital asset over its estimated useful life. Depreciation shall be recorded for funded capital assets using the method(s) agreed upon by the Superintendent and the Treasurer.

The following information shall be maintained for all capital assets:

- A. description (including whether the item was acquired in aggregate)
- B. asset classification (land, building, equipment, etc.)
- C. location
- D. purchase price/cost, or if not determined:
 - 1. estimated cost/purchase price
 - 2. estimated fair market value
 - 3. contract price (including all related charges to place the capital asset in condition or in its place for the intended use), or
 - 4. appraised value at the time of acquisition (if obtained by gift/donated)
- E. vendor
- F. date purchased/acquired
- G. voucher number
- H. estimated useful life
- I. estimated salvage value
- J. replacement cost
- K. accumulated depreciation
- L. method of acquisition (purchase, trade-in, lease, donated etc.)
- M. appropriation
- N. manner of asset disposal

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Book	Policy Manual
Section	Winter/Spring 2023 Policy Update
Title	Working Draft (Replacement/New) VOLUNTEERS
Code	po8120
Status	Policy Committee
Legal	A.C. 3301-27-01 R.C. 109.572, 109.574-7, 121.401-2, 3313.203, 3319.321, 3327.16 20 U.S.C. 1232g 34 C.F.R. Part 99 OHSAA Bylaw 6-1-2; General Regulation 4

Revised/Replacement Policy - Vol. 41, No. 2

~~3120.09~~8120 - VOLUNTEERS

The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. ~~The District/S/He~~ shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.

Volunteers for Athletic Activities

Volunteers who direct, supervise, or coach a student activity program that involves athletics, routine or regular physical activity, or activities with health and safety considerations may be required to obtain a pupil activity permit issued by the Ohio Department of Education (ODE). As provided in ODE guidance, the District shall determine which staff members need to have a permit. However, in accordance with OHSAA General Regulations, coaches, paid and/or volunteer, in grades seven (7) through twelve (12) who do not possess the Pupil Activity Program/Coaching Permit shall not be permitted to coach at any level at an OHSAA member school. Individuals who have applied for a Permit but who have not yet been issued a valid credential shall not be permitted to interact with athletes, even under the supervision of a credentialed coach, until the Pupil Activity Permit number is formally issued.

These volunteers will submit to a background check and take courses as may be required by the Ohio Department of Education.

The cost of obtaining the permit will be (X) at the volunteer's expense.

General Requirements

The Superintendent is to inform each volunteer that ~~they/s/he~~:

- A. ~~are~~ is required to abide by all Board policies and District guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which ~~they are~~/he is exposed except as authorized by law);
- B. will be covered under the District's liability policy but the District can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;
- C. will be asked to sign a form releasing the District of any obligation should the volunteer become ill or receive an injury as a result of ~~their~~his/her volunteer services;
- D. may not accept compensation from any third party or source, including, but not limited to, booster, parent, or other District support organizations, for the performance of ~~their~~his/her official duties as a volunteer on behalf of the Board.

Furthermore, the Superintendent shall inform all volunteers who work or apply to work unsupervised with children on a regular basis of the need to display appropriate behavior at all times, and that

they may be required to provide a set of fingerprints at any time so that a criminal records check can be conducted. If a criminal records check is then conducted, it will be done as a condition of continued service as a volunteer and will be at **(X)** the volunteer's expense

If a criminal records check indicates that a volunteer has been convicted of or pleaded guilty to any of the offenses listed below and/or described in R.C. 109.572 (A)(1),

(X) the volunteer will be informed either that the Board is no longer interested in maintaining ~~their~~his/her volunteer service or that the volunteer will be assigned to duties for which ~~they~~s/he will not work unsupervised with children.

The Superintendent shall inform each volunteer of the District's appreciation for ~~their~~his/her time and efforts in assisting in the operation of the schools and for ~~their~~his/her understanding with regard to the need for all volunteers to be subject to possible criminal records check.

Offenses

No person is to be accepted or maintained **[NOTE: THIS SHOULD BE MODIFIED IF SECOND OPTION IN PRECEDING SECTION IS ELECTED]** as a volunteer if ~~they have~~/he has been convicted of any of the following offenses:

- A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter
- B. felonious assault, aggravated assault, assault
- C. failing to provide for a functionally impaired person
- D. aggravated menacing
- E. patient abuse or neglect
- F. kidnapping, abduction, child stealing, criminal child enticement
- G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of minor in nudity-oriented material or performance
- H. aggravated robbery, robbery
- I. aggravated burglary, burglary
- J. abortion without informed consent
- K. endangering children
- L. contributing to the delinquency of children
- M. domestic violence
- N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school
- O. corrupting another with drugs
- P. trafficking in drugs
- Q. illegal manufacture of drugs or cultivation of marijuana
- R. funding of drug or marijuana trafficking
- S. illegal administration or distribution of anabolic steroids
- T. drug possession offenses (that are not a minor drug possession offense)
- U. placing harmful objects in or adulterating food or confection

A.C. 3301-27-01

R.C. 109.572, 109.574-7, 121.401-2, 3313.203, 3319.321, 3327.16

20 U.S.C. 1232g

34 C.F.R. Part 99

OHSAA Bylaw 6-1-2; General Regulation 4

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DELETED POLICY – VOL. 31, NO. 1

THE DECLARATION REGARDING MATERIAL
ASSISTANCE/NON-ASSISTANCE TO A TERRORIST
ORGANIZATION (DMA)

A completed DMA form shall be required of any applicant under final consideration of employment with the Board of Education and any private person or entity with whom the Board intends to enter into a contract that amounts to an aggregate of greater than \$100,000 annually. The completed DMA form shall serve as confirmation that the Board is not providing financial remuneration to any person or entity that aids or supports a terrorist organization on the Terrorist Exclusion List.

A private person or entity with whom the Board enters into frequent contracts may apply for pre certification. Pre certification is specific to the District and is effective for one (1) year at a time.

A "yes" answer to any of the questions or a failure to answer "no" to any of the questions on the DMA form must be reported immediately to the Ohio Department of Security's Division of Homeland Security and necessarily results in the denial of employment and/or a public contract.

When a DMA form is submitted to the Board, the District must retain it in accordance with its records retention schedule.

R.C. 2909.33, 2909.34

Adopted 2/12/07



Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - CRIMINAL HISTORY RECORD CHECK FOR CONTRACTED SCHOOL SERVICES
Code	po8142
Status	Policy Committee
Legal	R.C. 3319.392
Adopted	April 13, 2009

Revised Policy - Vol. 43, No. 2

8142 - CRIMINAL HISTORY RECORD CHECK FOR CONTRACTED SCHOOL SERVICES

In accordance with State law, the Board of Education requires a criminal background check including information from the Bureau of Criminal Identification and Investigation ("BCII") and the Federal Bureau of Investigation ("FBI") of each person employed by a private company under contract with the Board to provide essential school services and who will work within the District in a position which does not require a license issued by the State Board of Education, is not for the operation of a vehicle for student transportation, but does involve routine interaction with a child or regular responsibility for the care, custody, or control of a child.

"Essential school services" is defined to mean services provided by a private company that the Board or Superintendent has determined are necessary for the operation of the District and that would need to be provided by employees of the District if the services were not provided by the private company. No such individual, employed by a private company to provide essential school services under a contract with the Board, shall be permitted to work within the District unless one of the following applies to the individual:

A. The private company provides proof of either of the following to the Superintendent:

1. that the individual has been the subject of a criminal records check in accordance with R.C. 3319.39 within the last five (5) years immediately prior to the date on which the person will begin working in the District; and
2. that the criminal records check indicates that the individual has not been convicted of or pleaded guilty to any offense described in R.C. 3319.39(B)(1); or

B. During any period of time in which the individual will have routine interaction with a child or regular responsibility for the care, custody, or control of a child, the Superintendent has arranged for a District employee to be present in the same room with a child or, if outdoors, within a thirty (30) yard radius of the child or to have visual contact with the child.

Enrollment in the State Rapback System

The Board will ensure that all employees and contractors whose work duties involve routine interaction with a child or who are regularly responsible for the care, custody, or control of a child are enrolled in the State Rapback System. Licensed employees are enrolled in Rapback by the State Board of Education's Office of Professional Conduct upon approval of their license. School bus and van drivers, and all other unlicensed employees and contractors who do not have a license or permit issued by the State Board of Education, are expected to complete the necessary steps to enroll in Rapback through

the State Board as required by law. Employees and contractors may need to complete a new BCI background check (X) at their expense upon initial enrollment in Rapback. Enrollment in Rapback is considered a mandatory condition of employment and is not optional.

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - AUTOMATED EXTERNAL DEFIBRILLATORS ("AED") AND CARDIOPULMONARY RESUSCITATION
Code	po8452
Status	Policy Committee
Legal	A.C. 3301-27-01 R.C. 2305.235, 3313.62, 3313.717, 3313.5310, 3313.6021, 3313.6023 R.C. 3319.303, 3326.11, 3328.24, 3701.85, 3701.851, 3707.58, 3707.59
Adopted	April 11, 2016
Last Revised	July 10, 2017

Revised Policy - Vol. 43, No. 2

8452 - AUTOMATED EXTERNAL DEFIBRILLATORS ("AED") AND CARDIOPULMONARY RESUSCITATION

An automated external defibrillator ("AED") is a medical device that interprets the cardiac rhythm of a person in cardiac arrest and, if appropriate, delivers an electrical shock to the heart intended to allow it to resume effective electrical activity.

To enhance school safety and in compliance with State law, the Board of Education will have an automated external defibrillator(S) (AED) placed in designated building(s) within the School District and at each sports and recreation facility under the Board's control.

The Board shall require teachers, nurses, counselors, school psychologists, principals and other administrative employees, coaches, athletic trainers, and any other person who supervises interscholastic athletics to successfully complete an appropriate training course in the use of AEDs. To fulfill this requirement, the Board will use a training that is either an approved program developed by the American Heart Association or American Red Cross, or a program that is nationally recognized and based on the most current national, evidence-based emergency cardiovascular care guidelines for CPR and use of an AED. The training will be incorporated into in-service training in child abuse, substance abuse, and violence prevention that is required upon initial employment and every five (5) years thereafter. The Board may require or make the training available to additional individuals.

Students in grades nine (9) through twelve (12) will also receive instruction in cardiopulmonary resuscitation ("CPR") and the use of an AED. The instruction shall include the psychomotor skills necessary to perform cardiopulmonary resuscitation of an AED. The training shall either be an approved program developed by the American Heart Association or American Red Cross, or a program that is nationally recognized and based on the most current national, evidence-based emergency cardiovascular care guidelines for CPR and use of an AED. Parents may submit a written request that their student be excused from the training. If it is determined that a student with a disability is not capable of performing the psychomotor skills required to perform CPR and use an AED as indicated in their Individualized Education Plan ("IEP"), they will not be required to complete the training.

Prior to the start of each athletic season, each school operated by the District that offers athletic programs shall hold an informational meeting for students, parents, guardians, other individuals having care or charge of a student, physicians, pediatric cardiologists, athletic trainers, and any other individuals who participate in athletic programs regarding the

symptoms and warning signs of sudden cardiac arrest for all ages of students.

Students who participate in an athletic program shall annually submit a form signed by the student and their parent or guardian that indicates they have received and reviewed a copy of the education materials regarding sudden cardiac arrest that is jointly developed by the Department of Health and Department of Education and Workforce. Students will not be permitted to participate in an athletic activity until the student has submitted the form to the designated school official. All individuals who coach an athletic activity will annually complete a training course approved by the Department of Health on sudden cardiac arrests.

A.C. 3301-27-01

R.C. 2305.235, 3313.62, 3701.85, 3313.717, 3313.5310, 3313.6021, 3313.6023

R.C. 3319.303, 3326.11, 3328.24, 3701.85, 3701.851, 3707.58, 3707.59

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~~8452—AUTOMATED EXTERNAL DEFIBRILLATORS (AED)~~

~~To enhance school safety and in compliance with State law, the Board of Education will have an automated external defibrillator(s) (AED) placed in designated buildings within the School District.~~

~~An AED is a medical device that interprets the cardiac rhythm of a person in cardiac arrest and, if appropriate, delivers an electrical shock to the heart intended to allow it to resume effective electrical activity.~~

~~The Superintendent/designee is authorized to develop guidelines that govern AEDs, including the use of the AED, placement of the AED, and appropriate training in the use of the AED.~~



Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - PUBLIC ATTENDANCE AT SCHOOL EVENTS
Code	po9160
Status	Policy Committee
Legal	R.C. 955.43, 1716.02, 1716.03 R.C. 3313.5319 28 C.F.R. Part 35 29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended 34 C.F.R. Part 104 42 U.S. C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
Adopted	October 8, 1990
Last Revised	January 13, 2014

Revised Policy - Vol. 43, No. 1

9160 - ~~PUBLIC CONDUCT ON SCHOOL PROPERTY~~ - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District. Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested. In accordance with Board Policy 7440 and AG 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

For all school-affiliated events where admission is charged, cash shall be accepted as a method of payment. If concessions are offered, there will be at least one (1) concession stand that will accept cash. If concessions are sold on multiple floors, then at least one (1) location on each floor will accept cash. **The cost of admission for school-affiliated events shall not vary based on payment method, except that the District may charge a processing fee for any ticket purchased online or by credit card. The cost of admission for a student enrolled in any school participating in the school-affiliated event shall be less than the cost of admission for an adult at the same event.** Persons who receive cash at designated collection points will deposit the cash with the Treasurer/CFO on the next business day of receipt in accordance with **Board** Policy 6600.

No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed at any function occurring on Board property.

Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with **Board** Policy 9211 - District Support Organizations and **Board** Policy 9700 - Public Solicitations in the Schools.

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See **Board** Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned, leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances (see **Board** Policy 7434).

Such prohibition also applies to school grounds and any school-related event.

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, a recording can be made if the appropriate license authorizing such a recording has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event must obtain prior permission from the Superintendent **or Designee**.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the principal or athletic director if they require a reasonable accommodation."

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Book	Policy Manual
Section	Spring 2025 Policy Revisions
Title	Revised - PUBLIC ATTENDANCE AT SCHOOL EVENTS
Code	po9160
Status	Policy Committee
Legal	R.C. 955.43, 1716.02, 1716.03 28 C.F.R. Part 35 29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended 34 C.F.R. Part 104 42 U.S. C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
Adopted	October 8, 1990
Last Revised	January 13, 2014

Revised Policy - Vol. 41, No. 2

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District. Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested. In accordance with Board Policy 7440 and AG 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

[X] No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed at any function occurring on Board property.

[X] Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups.

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned, leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances (See Policy 7434).

Such prohibition also applies to:

- (X) school grounds,
- (X) any school-related event,
- (X) and in designated areas as defined in statute and by Ohio's Smoke-Free Workplace Program.

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, a recording can be made if the appropriate license authorizing such a recording has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event must obtain prior permission from the Superintendent.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the administrator and/or site supervisor if they require a reasonable accommodation."

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For all school affiliated events where admission is charged, cash shall be accepted as a method of payment. If concessions are offered, there will be at least one (1) concession stand that will accept cash. If concessions are sold on multiple floors, then at least one (1) location on each floor will accept cash. The cost of admission for school affiliated events shall not vary based on payment method, except that the District may charge a processing fee for any ticket purchased online or by credit card. The cost of admission for a student enrolled in any school participating in the school affiliated event shall be less than

the cost of admission for an adult at the same event. Persons who receive cash at designated collection points will deposit the cash with the Treasurer/CFO on the next business day of receipt in accordance with Board Policy 6600.

No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed at any function occurring on Board property.

Raffles and similar forms of fund raising by District related organizations may be permitted by the Superintendent in accordance with Board Policy 9211—District Support Organizations and Board Policy 9700—Public Solicitations in the Schools.

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Any person or organization seeking to film students or a school activity which is not a public event must obtain prior permission from the Superintendent or Designee.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the principal or athletic director if they require a reasonable accommodation."

Revised 3/14/11

Revised 7/11/11

Revised 3/12/12

Revised 1/13/14

REPLACEMENT POLICY - VOL. 31, NO. 1

3220 - ~~STAFF EVALUATION OF PROFESSIONAL STAFF TEACHERS~~

~~The South-Western City Board of Education believes it is the responsibility of administrators to make continuous evaluation of the performance of teaching personnel for the purpose of providing a sound basis for personnel improvement and evaluation of personnel effectiveness.~~

~~The Superintendent will develop and implement a program for the evaluation of teachers in accordance with the negotiated agreement. This evaluation should serve to identify personnel strengths and limitations through use of an accepted evaluation form.~~

~~CONTRACT REF.: South-Western Education Association (SWEA) Negotiated Agreement~~

~~R.C. 3319.02, 3319.11, 3319.111~~

~~A.C. 3301-35-03(A)~~

~~Adopted 10/9/89~~

The Board of Education through the powers derived from the Ohio Revised Code, is responsible for the employment and discharge of all personnel. To assist in the facilitation of this responsibility, a standards-based teacher evaluation program which conforms to the framework for evaluation of teachers as approved by the State Board of Education shall be implemented as set forth herein.

This policy has been developed in consultation with teachers employed by the Board.

Implementation of this policy shall be in accordance with Ohio Revised Code, Ohio Administrative Code and the SWEA Negotiated Agreement.

Each teacher will be evaluated using factors from the following categories (as weighted):

A. Student Growth Measures (50%).

For the purpose of this policy, “student growth” means the change in student achievement for an individual student between two or more points in time.

This component of the evaluation includes, where available, one or more of the following: 1) Teacher-level Value-Added Data (or alternative student academic progress measures if adopted by ODE); 2) ODE-approved Assessments; and/or 3) Locally-determined Measures; in accordance with state law and State Board of Education requirements.

In calculating student academic growth for an evaluation, certain students shall be excluded pursuant to state law and regulation.

B. Teacher Performance (50%).

The teacher performance measure is based on the Ohio Standards for the Teaching Profession. The Superintendent/designee selects/develops evaluation tools to calculate teacher performance in consultation with teachers. The Board directs the Superintendent/designee to develop procedures for these evaluation tools.

Each evaluation will consist of at least two (2) formal observations of the teacher at least thirty (30) minutes each in duration, as well as classroom walkthroughs, except as otherwise provided by statute and this policy.

Each teacher shall be evaluated at least once each school year, except as otherwise provided by statute and this policy. The evaluation will be completed no later than May 1st and each teacher will be provided a written report of the results of his/her evaluation no later than May 10th.

Each teacher will be assigned an effectiveness rating in accordance with the State Board of Education framework at the conclusion of the evaluation process.

Observations of Limited/Extended Limited Contract Teacher Under Consideration for Non-Renewal

Each teacher on a limited contract or extended limited contract who is under consideration for nonrenewal shall have at least three (3) formal observations.

“Accomplished” Rated Teacher – Option for Biennial Evaluation

The Board may elect, by adoption of a resolution, to evaluate each teacher who received a rating of accomplished on the teacher’s most recent evaluation, conducted in accordance with this policy, once every two school years. In that case, the biennial evaluation shall be completed by the first day of May of the applicable school year, and the teacher shall receive a written report of the results of the evaluation by the tenth day of May of that school year.

Retention and Promotion Decisions

The Board shall use the evaluation results to make retention and promotion decisions.

Seniority shall not be the basis for a decision to retain a teacher, except when making a decision between teachers who have comparable evaluations.

Removal of Poorly Performing Teachers

The Board shall use the evaluation results in making decisions to remove poorly performing teachers.

Professional Development

Teachers shall develop professional growth plans and/or improvement plans in accordance with the standards-based statewide teacher evaluation framework adopted by the State Board of Education.

The Board will provide professional development and growth opportunities in accordance with state law and regulations.

The Board will provide for the allocation of financial resources to support professional development to the extent required by state law and the State Board of Education evaluation framework.

Testing of Ineffective Teachers:

Effective with the 2015-2016 school year, each teacher in a core subject area who has received a rating of “ineffective” on the evaluations conducted under law and this policy for two of the three most recent school years must register for and take all written examinations as required by state law and regulations.

This policy does not apply to the Superintendent, administrators, teacher supplemental contracts, or teachers employed as substitutes or adult education instructors or to any person employed under a teacher license/certificate that spends less than fifty percent (50%) providing student instruction.

CONTRACT REF.: South-Western Education Association (SWEA) Negotiated Agreement

R.C. 3319.02, 3319.11, 3319.111, **3319.112, 3333.0411**
A.C. 3301-35-03(A)

Adopted 10/9/89

Revised:

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